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US

Privacy Act Issuances
1989 Compilation

Volume I

Systems of Records
Agency Rules

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Privacy Act Issuances
1989 Compilation

Volume I

Systems of Records
Agency Rules

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National Archives and Records
Administration

PRIVACY ACT ISSUANCES, 1989 COMPILATION

VOLUME I

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PRIVACY ACT ISSUANCES, 1989 COMPILATION

EXPLANATION

This multivolume biennial compilation contains:

—descriptions of systems of records maintained on individuals by Federal agencies which were published in the FEDERAL REGISTER as required by the Privacy Act of 1974;

—rules of each agency which set out the procedures that agencies will follow in helping individuals who request information about their records.

AUTHORITY

This compilation of Privacy Act Issuances is published by the Office of the Federal Register in compliance with the requirements of the Privacy Act of 1974 (5 U.S.C. 552a).

CUTOFF DATES

This compilation reflects rules and notices of systems of records in effect as of December 31, 1989, unless otherwise noted.

TITLE AND FORM OF CITATION

The official title of this publication is "Privacy Act Issuances, 1989 Compilation". To cite a system of records or rule in this publication, the form of citation would be:

Privacy Act Issuances, 1989 Comp., Volume ..., p....

HOW TO USE THIS COMPILATION

Identify the system you think may contain information about you and the agency that maintains those records.

Read the agency's regulations following its systems of records to determine the procedures you must follow to obtain information from that agency.

INFORMATION YOU CANNOT GET

There are limitations to the kind of information you can get. The agency may refuse to let you see information that—

—Relates to national security;

—Could reveal a confidential source; or

—Could be used to give people an unfair advantage on a government examination.

Generally, an agency's system notices (description of its systems of records) and its regulations will describe that agency's limitations on release of information.

SOME GENERAL REQUIREMENTS

How To Make a Request

In most cases you can inquire in person or by mail. It will be easier for the agency to help you, and your request will be handled more quickly, if you follow these procedures:

1. Give your full name and address, and sign your request.
2. Specify the system(s) of records you believe contain information about you.
3. Provide the relevant information required by the system you are interested in. For example, if you are inquiring about any contract you have had with the Government (loan application, contract, grant application, etc.), give the date and subject matter, and any identifying numbers that appear on documents you received.
4. Address your request to the official or person and address given in the system entry.
5. Print the words "PRIVACY ACT REQUEST" on the front of the envelope.

Proof of Identity

The agency will need some proof of your identity such as—

1. A document with your full name and address;
2. A document that has your signature and/or your photograph such as a passport, medicare card, or unemployment insurance book.
3. Any other identification specified in the system entry or regulations. If your request is by mail, you should include copies of whatever documents the agency requires to prove your identity. There is a penalty for making false statements.

Fees

The agency may charge you a fee for a copy of your records, but they may not charge you for the time and expense of locating them. The agency's rules usually state how much the fee is.

GENERAL INQUIRIES

This volume was edited by Gladys Queen Ramey under the direction of Richard L.Claypoole.

For further information concerning the technical aspects of this volume, call 202-523-3187. Written comments or suggestions should be addressed to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, D.C. 20408.

Martha L. Girard,
Director, Office of the Federal Register.

PRIVACY ACT ISSUANCES—1989 COMPILATION

The Office of the Federal Register has issued its 1989 Compilation of Privacy Act Issuances as required by 5 U.S.C. 552a(f). Listed below are the agencies in this volume.

Agriculture Department
Commerce Department
Education Department
Energy Department
Health and Human Services Department
Housing and Urban Development Department

DEPARTMENT OF AGRICULTURE

USDA/AMS—1

System name: Employment History Records for Licensed Nonfederal Employees, USDA/AMS

System location: Agricultural Marketing Service, USDA, 14th and Independence Avenue, Washington, D.C. 20250.

Categories of individuals covered by the system: Commodity Inspectors, Graders, Weighers, Classers, Collaborators, Licensed Plant Employees, Agents, Appointees, Samplers.

Categories of records in the system: This system consists of such information as applications for license, license files, bonding records, biographical data, periods of employment, performance ratings, commodities qualified to inspect, grader's powers of attorney, recommendations for reemployment, factors which affect or might affect desirability as an inspector, supervisory potential, declaration sheets, preference sheets, current, expired, and voided licenses, license examinations and score sheets, license renewal score sheets, miscellaneous notes and memoranda, e.g. transfers, cancellations, corrective action letters, letters of caution or warning, inspection/grading performance/productivity data, letters of suspension, indictment, complaint, proposals to revoke license, etc. Content and extent of these records vary by commodity, program and season.

Authority for maintenance of the system: 7 U.S.C. 51-65, 241-273, 451-469, 471-476, 491, 493-499, 499a-499s, 411-511q, 601 et seq, 1551-1611.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to states or other Federal agencies to determine verification of employment or length of service for retirement purposes; referral to Civil Service Commission for required records and reports; to Government Accounting Office for required records and reports to Department of Justice for required records and reports. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, notebooks, and cardex files.

Retrievability: Records are indexed by name of licensee and/or license number.

Safeguards: Government office buildings, locked and unlocked file cabinets and locked offices.

Retention and disposal: Records maintained indefinitely or until separation or retirement or in accordance with prescribed retention schedule. They are destroyed in conformance with prescribed retention schedules. These records schedules have been implemented by Agricultural Marketing Service Instruction 270-1, Records Management Program.

System manager(s) and address: Each of the following Division Directors:

Cotton Division
Livestock, Poultry, Grain, and Seed Division
Tobacco Division
Transportation and Warehouse Division

Notification procedure: Any individual may request information concerning himself from this system from the Office of the Division Director having custody of his records at the system location.

Record access procedures: Any individual may obtain informtion as to the procedure for gaining access to a record in the system that pertains to him by submitting a request to the appropriate Division Director listed above.

Contesting record procedures: Any individual may obtain information as to the procedure for contesting a record in the system that pertains to him by submitting a request to the appropriate Division Director listed above.

Record source categories: Information in this System comes primarily from licensees, supervisors, with additional data provided by references and investigative personnel.

USDA/AMS—2

System name: Milk Market Administrators (MMA) Producer Payroll System, USDA/AMS.

System location: Milk Market Administrator's Offices at the following locations:

Arizona
Market Administrator
2617 North 24th Street
Phoenix, AZ 85008
Phone: 602 275-7641

Arkansas
Market Administrator
P.O. Box 4225
Asher Avenue Station
Little Rock, AR 72214
Phone: 501 663-6395

Colorado
Market Administrator
7 Parker Pl.
2600 S. Parker Rd.
Aurora, CO 80014
Phone: 303 837-2461

Florida
Market Administrator
P.O. Box 11368
Fort Lauderdale, FL 33306
Phone: 305 565-2583

Georgia
Market Administrator
P.O. Box 49025
Atlanta, GA 30359
Phone: 404 455-6323

Illinois
Market Administrator
800 Roosevelt Road
Building A, Suite 200
Glen Ellya, IL 60137
Phone: 312 858-8400

Indiana
Market Administrator
P.O. Box 55527
Indianapolis, IN 46205
Phone: 317 269-6107

Kansas
Market Administrator
P.O. Box 4606
Overland Park, KS 66204
Phone: 913 648-1050

Kentucky
Market Administrator
P.O. Box 18030
Louisville, KY 40218
Phone: 502 499-0040

Louisiana
Market Administrator
P.O. Box 7250
Metairie, LA 70011
Phone: 504 837-9381

Massachusetts
Market Administrator
230 Congress Street, Room 403
Boston, MA 02110
Phone: 617 542-8636

Michigan
Market Administrator
2684 West Elevan Mile Road

Berkley, MI 48072
Phone: 313 548-1603

Minnesota
Market Administrator
4570 West 77th Street, Suite 210
Minneapolis, MN 55435
Phone: 612 831-5292

Missouri
Market Administrator
P.O. Box 1485
Maryland Heights, MO 63043
Phone: 314 567-4730

New York
Market Administrator
205 East 42nd Street
New York, NY 10017
Phone: 212 557-0343

Ohio
Market Administrator
P.O. Box 30128
Cleveland, OH 44130
Phone: 216 826-3220
Market Administrator
P.O. Box 29226
Columbus, OH 43229
Phone: 614 891-1851

Oklahoma
Market Administrator
P.O. Box 45563
Tulsa, OK 74145
Phone: 918 622-3411

Oregon
Market Administrator
P.O. Box 23606
Portland, OR 97223
Phone: 503 639-8806

Texas
Market Administrator
P.O. Box 29529
Dallas, TX 75229
Phone: 214 243-1504

Virginia
Market Administrator
P.O. Box 710
Alexandria, VA 22313
Phone: 703 549-7000

Categories of individuals covered by the system: Dairy farmers delivering producer milk to regulated handlers.

Categories of records in the system: This system consists of information pertaining to the quantities and value of milk delivered to regulated handlers by individual dairy farmers.

Authority for maintenance of the system: 7 U.S.C. 601 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual card files or automated disk or tape files.

Retrievability: Records are indexed by name of producer and/or by ID number.

Safeguards: Government office building, locked offices, locked files cabinets.

Retention and disposal: Records are maintained and destroyed in accordance with retention schedule number II NNA-1588 approved by the 84th Congress, first session, on July 13, 1955.

System manager(s) and address: Each Market Administrator at the address listed above.

Notification procedure: Any individual may request information about himself from the appropriate Market Administrator at the address listed above. The request should indicate the individual's name, address and type of information being sought.

Record access procedures: Any individual may obtain information as to the procedure for gaining access to a record in the System which pertains to him by submitting a written request to the appropriate offices referred to in the preceding paragraph.

Contesting record procedures: Any individual may obtain information as to the procedure for contesting a record in the System which pertains to him by submitting a written request to the appropriate offices referred to in the preceding paragraph.

Record source categories: Information in this system comes primarily from regulated handlers and cooperative associations. Some additional data is provided by health authorities with respect to Grade A quality standards and investigative personnel.

USDA/AMS—3

System name: Perishable Agricultural Commodities Act (PACA)—History Files of Principals.

System location: Regulatory Branch, Fruit and Vegetable Division, Agricultural Marketing Service, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: Partners of General or limited partnerships, individual proprietors, officers, directors and holders of more than ten percent of outstanding stock of a corporate entity subject to the PACA.

Categories of records in the system: Card files used to identify the partnership, corporate entity in which the principal is or was responsibly connected as defined by the PACA. This system also contains felony and bankruptcy information relating to the principal.

Authority for maintenance of the system: 7 U.S.C. 499a-499s.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Unlocked cardex file cabinets.

Retrievability: Alphabetical by name.

Safeguards: Government office building.

Retention and disposal: Records are maintained and destroyed in accordance with retention schedule number NN 165-106 approved by the 89th Congress, first session on April 1, 1965.

System manager(s) and address: Chief, Regulatory Branch at the address listed above.

Notification procedure: Any individual may request information concerning himself from the system manager listed at the address above.

Record access procedures: Any individual may obtain information as to the procedure for gaining access to a record in the system that pertains to him by submitting a request to the system manager at the address above.

Contesting record procedures: Any individual may obtain information as to the procedure for contesting a record in the system that pertains to him by submitting a request to the system manager at the address above.

Record source categories: Individuals, partners, and authorized officers of corporate entities.

USDA/AMS—4

System name: Administrative proceedings brought pursuant to the authority of section 8c(15)(a) of the Agricultural Marketing Agreement Act of 1937, as amended, USDA/AMS.

System location: Agricultural Marketing Service, United States Department of Agriculture; Washington, D.C. 20250 and Milk Market Administrator's Offices at locations listed in USDA/AMS-3.

Categories of individuals covered by the system: Individuals regulated by the subject Act who file a petition with the Secretary of Agriculture pursuant to the authority of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intra- and interdepartmental recommendations.

Authority for maintenance of the system: 7 U.S.C. 601 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation of potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.(2) Presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations. (3) Presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Government office buildings, locked offices, or locked file cabinets.

Retention and disposal: Records are maintained in conformance with appropriate General Services Administration destruction schedules and implemented by AMS Instruction 270-1, Records Management Program.

System manager(s) and address: Fruit and Vegetable Division Director or Dairy Division Director and each Milk Market Administrator at the addresses cited in the System location.

Notification procedure: Any individual may request information concerning himself from this system from Fruit and Vegetable Division Director or from the appropriate Milk Market Administrator's office having custody of his records. A request for information should be addressed to Director, Fruit and Vegetable Division or to the Milk Market Administrator, United States Department of Agriculture, as appropriate, at the address shown under Location and should contain: Name, address, and particular information requested.

Record access procedures: Any individual may obtain information as to the procedures for gaining accesss to a record in the System which pertains to him by submitting a written request to the Director, Fruit and Vegetable Division or to the appropriate Milk Market Administrator's office, as appropriate, referred to in the preceding paragraph.

Contesting record procedures: Any individual may obtain information as to the procedures for contesting a record in the System which pertains to him by submitting a written request to the Director, Fruit and Vegetable Division or to the appropriate Milk Market Administrator's office referred to in the preceding paragraph.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/AMS—5

System name: Court cases brought by the Government pursuant to the following Acts, as amended: Agricultural Marketing Agreement Act of 1937, Agricultural Marketing Act of 1946, Agricultural Fair Practices Act, Cotton Research and Promotion Act of 1966, Egg Research and Consumer Information Act of 1974, or the Potato Research and Promotion Act, USDA/AMS.

System location: Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 and Milk Market Administrator's Offices at the locations listed in USDA/AMS-3.

Categories of individuals covered by the system: Individuals who are regulated by the subject Acts and who may be investigated for possible violations of the Acts and/or against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intra- and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system: 7 USC 601 et seq, 2101 et seq, and 2301 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, or local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, law, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.(2) Presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations. (3) Presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate, or administrative tribunal. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in the file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Government office buildings, locked offices or locked file cabinets.

Retention and disposal: Records are maintained in conformance with appropriate General Services Administration destruction schedules and implemented by AMS Instruction 270-1, Records Management Program.

System manager(s) and address: Cotton, Dairy, Fruit and Vegetable, and Livestock, Poultry, Grain, and Seed Division Directors and each Milk Market Administrator at the addresses cited in the System location.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 USC 552a(k)(2) from the requirements of 5 USC 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/AMS—6

System name: Court cases brought pursuant to the authority of the Agricultural Marketing Agreement Act of 1937, as amended in which the Government is defendant, USDA/AMS.

System location: Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 and Milk Market Administrator's Offices at the locations listed in USDA/AMS-3.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Government official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intra- and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 USC 601 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations. (3) Presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Government office buildings, locked offices, or locked file cabinets.

Retention and disposal: Records are maintained in conformance with appropriate General Services Administration destruction schedules and implemented by AMS Instruction 270-1, Records Management Program.

System manager(s) and address: Fruit and Vegetable Division Director or Dairy Division Director and each Milk Market Administrator at the addresses cited in the System location.

Notification procedure: Any individual may request information concerning himself from this system from the Fruit and Vegetable Division Director or from appropriate Milk Market Administrator's office having custody of his records. A request for information should be addressed to the Director, Fruit and Vegetable Division or to the Milk Market Administrator, United States Department of Agriculture, as appropriate, at the address shown under Location and should contain: Name, address, and particular information requested.

Record access procedures: Any individual may obtain information as to the procedure for gaining access to a record in the System which pertains to him by submitting a written request to the Director, Fruit and Vegetable Division, or to the appropriate Milk Market Administrator's office referred to in the preceding paragraph.

Contesting record procedures: Any individual may obtain information as to the procedures for contesting a record in the System which pertains to him by submitting a written request to the Director, Fruit and Vegetable Division or to the approriate Milk Market Administrator's office referred to in the preceding paragraph.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/AMS—7

System name: Subsidiary Personnel and Pay Records, USDA/AMS.

System location: Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 and Region, Area, and Field Offices at locations listed in the Agricultural Marketing Service Field Office Listing publication.

Categories of individuals covered by the system: Present and former employees and applicants for employment with the Agricultural Marketing Service.

Categories of records in the system: The system consists of copies of materials maintained in Official Personnel Folders, such as personnel action documents, applications for employment, education and training data, performance and appraisal ratings, as well as time and attendance reports, earnings statements, and service record cards.

Authority for maintenance of the system: 5 U.S.C. 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) By agency officials for purposes of review in connection with appointments, promotions, within-grade increases, training, transfers, and determination of qualifications of an individual. (2) To provide information to a prospective employer of a Federal Government employee or former Federal Government employee or to an organization at the request of the individual. (3) Referral to the Civil Service Commission, Department of Labor, and Office of Management and Budget for required records and reports. (4) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (5) Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within this system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (6) Presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal. (7) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and on file cards at the applicable addresses listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Government office buildings, locked offices, or locked file cabinets.

Retention and disposal: Records are maintained in conformance with appropriate General Services Administration disposal schedules and inplemented by AMS Instruction 270-1, Records Management Program.

System manager(s) and address: Personnel Division Director.

Notification procedure: Any individual may request information concerning himself from this system from the Personnel Division Director or from the individual's supervisor at the appropriate office having custody of his records. A request for information should be addressed to Director, Personnel Division or to the Officer-in-Charge, as appropriate, at the address shown under Location and should contain: Name, address, and particular information requested.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the System which pertains to him by submitting a written request to the Director, Personnel Division or to the appropriate Officer-in-Charge referred to in the preceding paragraph.

Contesting record procedures: Any individual may obtain information as to the procedures for contesting a record in the System which pertains to him by submitting a written request to the Director, Personnel Division or to the appropriate Officer-in-Charge referred to in the preceding paragraph.

Record source categories: Information in this System comes from the individual to whom it applies or is derived from information the individual supplied except information provided by agency officials on performance, appraisal, pay, leave, and allowance records.

USDA/AMS-8

System name:

Court cases brought by the Government pursuant to the following Acts: Agricultural Marketing Act of 1946, Egg Products Inspection Act.

System location:

Agricultural Marketing Service, U.S. Department of Agriculture, 14th & Independence Avenue, SW, Washington, D.C. 20250.

Categories of individuals covered by the system:

Individuals who are regulated by the subject Acts and who may be investigated for possible violations of the Acts and/or against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system:

The System consists of investigatory material which may include intra- and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system:

7 U.S.C. 1621 et seq., and 1031 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation law, or of enforcing or implementing a statute, law, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations. (3) Presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate, or administrative tribunal. (4) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in the file folders at the applicable address listed above.

Retrievability:

Records are indexed by name of the individual.

Safeguards:

Government office buildings, locked offices or locked file cabinets.

Retention and disposal:

Records are maintained in conformance with appropriate General Services Administration destruction schedules.

System manager(s) and address:

Poultry Division Director at the address cited in the System location.

Notification procedure:

This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(g), (h), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/AMS—9

System name: Persons engaged in business as livestock market agencies and dealers under the provisions of the Packers and Stockyards Act. USDA/AMS.

System location: Registrations, Bonds, and Reports Branch, Livestock Marketing Division, Packers and Stockyards Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. Also duplicate files for specific geographical regions maintained in the thirteen (13) Regional Supervisory Offices of P&S.

Categories of individuals covered by the system: Individuals who have applied for registration or are registered as livestock market agencies and dealers under the Packers and Stockyards Act.

Categories of records in the system: The system consists of index cards bearing the names of individuals who are registered under the provisions of the Act. Also cross-reference cards bearing the names of individuals who are owners or officers of registrant firms. From the index cards access may be gained to other systems of records identified as follows: (1) Registration Record Cards, (2) Case Record Cards, (3) Bond Claim Record Cards, (4) Registration Jurisdictional Files and (5) Stockyard Jurisdictional Files.

Authority for maintenance of the system: 7 U.S.C. 181 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To answer inquiries from Federal and State agencies, livestock trade organizations, and others having a definite and proved interest in such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in card file cabinets and file folders at the applicable address listed above.

Retrievability: All index cards are maintained in an alphabetical order by name of registrant and by name of owners or officers of registrant firms.

Safeguards: Records are kept in locked cabinets under the supervision of competent personnel.

Retention and disposal: All files mentioned are maintained during active life of registration. When rendered inactive records are maintained for a period of two years in accordance with an approved records disposition schedule.

System manager(s) and address: Chief, Registrations, Bonds and Reports Branch, Livestock Marketing Division, Packers and Stockyards, Agricultural Marketing Service, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from System Manager, Telephone (202-447-4615 or 16). A request for information pertaining to an individual should contain that individual's full name, and current mailing address.

Record access procedures: Any individual desiring to gain access to a record maintained in the system which pertains to him may do so by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Use same procedures as followed in seeking access.

Record source categories: Information in this system comes primarily from individuals who make application for registration or who are registered under the Packers and Stockyards Act, 1921, as amended. A limited amount of information in the system is obtained from other sources such as corporate surety companies, persons acting as trustee on bonds or bond equivalents and Packers and Stockyards Regional Supervisory personnel.

USDA/AMS—10

System name:

Poultry Grading/Inspection Monitoring System.

System location:

USDA, Washington Computer Center, Washington, DC 20250.

Categories of individuals covered by the system:

Poultry Grading Branch and State employees licensed to grade and/or inspect poultry and/or poultry products.

Categories of records in the system:

Information on the condition of the plant and comparative grading and examinations peformed by the grader/inspector and the supervisor. The information is taken from Poultry Division forms, Employee's Performance Record, Daily Report of Egg Drying Activities, and Daily Report of Plant Operations.

Authority for maintenance of the system:

The Agricultural Marketing Act of 1946 (60 Stat. 1037, as amended; 7 U.S.C., Section 1621 et seq.), and the Egg Products Inspection Act of 1970 (84 Stat. 1620 et seq., 21 U.S.C., Sections 1031-1056).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The use of records will be limited to Poultry Division employees involved in the management of the grading/inspection programs. This includes the Branch Chief and Assistant to the Director, and the National Technical Supervisors. Selected reports will be sent to regional directors. The system will be used to identify problem areas in the grading/inspection of products. This will include employee/supervisory/ plant performance on an area, regional, and national level. The system will also be used to develop percentages and statistics relating to grade standard tolerances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; computer disk; computer paper printouts.

Retrievability:

Records are indexed and accessed by social security number or a selected number for a particular individual and region.

Safeguards:

Each regional office has a separate logo identification and password to the computer for input. Reports are run by the national office. Paper records and printouts will be maintained in locked file cabinets or locked offices.

Retention and disposal:

Automated records will be deleted after 2 years. Printouts will be destroyed after 2 years. Daily Report of Plant Operation and Reports of Egg Drying Operations will be destroyed after 1 year. Employee's Performance Record will be destroyed after 3 years.

System manager(s) and address:

Chief, Poultry Grading Branch, Poultry Division, USDA, AMS, Washington, DC 20250.

Notification procedure:

Individuals may request information concerning their records by contacting the system manager.

Record access procedures:

Any individual may obtain information as to the procedure for gaining access to a record in the system that pertains to him/her from the system manager.

Contesting record procedures:

Any individual may obtain information as to the procedure for contesting a record in the system that pertains to him/her from the system manager.

Record source categories:

Information contained in the system is obtained from Federal Grading Branch employees, licensed State employees, and their Federal supervisors.

USDA/AMS-11

System name:

AMS Office of Compliance Review Cases.

System location:

U.S. Department of Agriculture, Agricultural Marketing Service, Office of Compliance, Room 3529-S, 14th and Independence Ave., Sw, Washington, DC 20250.

Categories of individuals covered by the system:

AMS employees, such as commodity graders, inspectors, supervisors; various industry Committee or Board members and/or managers; employees of various industry organizations; and any other individuals involved in a review or investigation as an alleged violator or otherwise the subject of a review or investigation.

Categories of records in the system:

The system consists of investigatory files regarding cases involving the AMS Office of Compliance. These files contain reports by AMS Compliance and other investigative entities such as the Office of the Inspector General, USDA. They also contain evidence gathered in the course of reviews and investigations, as well as intra and interdepartmental recommendations. The records system also includes a tracking system maintained by computer which provides current status reports on all cases involving the Agency.

Authority for maintenance of the system:

The Office of Compliance is responsible for compliance activities pertaining to programs administered by AMS authorized by the legislation listed in 7 CFR 2.50.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system, when information available indicates a violation or potential violation of law, whether civil, criminal, or regualtory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto;

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(4) Records may be disclosed in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and in computer data files at the address listed under "System location."

Retrievability:

The records filed in this system are issued a primary name and case number specifying the appropriate division in AMS to which they pertain. A secondary name stating the subject being investigated is also issued. The records are filed in order of occurrence. Files are retrieved by identifying the division, subject, and case number.

Safeguards:

Records are stored in file folders and computer data files. The computer data base in accessed through a procedure used by the Compliance Staff. Offices containing these records are locked during nonbusiness hours and when offices are otherwise vacant. All records are accessible to AMS Compliance Staff.

Retention and disposal:

Records are maintained and destroyed in accordance with AMS Directive 270.1 "Files Maintenance and Records Disposition Handbook." Records are maintained for a period of three years at the system location, after which they are to be disposed of by authority of the National Archives and Records Service.

System manager(s) and address:

Questions or requests regarding this system can be sent to the Associate Deputy Administrator for Compliance at the address listed under "System location."

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(2), material in this system of records is exempt from the rquirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f), because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. 5 U.S.C. 552a(d) requires that an individual be given access to and the right to amend files pertaining to him or her. Individual access to these files could impair investigations in progress and alert subjects involved in the investigations that their actions are under scrutiny, which may allow them the opportunity to alter their actions or prevent detection of any illegal actions to escape prosecution. Release of these records would also disclose investigative techniques and procedures employed by AMS and other agencies, which would hamper law enforcement activities.

5 U.S.C. 552a(c)(3) requires that an accounting of disclosures be made available to an individual. This would impair investigations by alerting subjects of investigations to the existence of those investigations. Release of the information could result in the altering or destruction of documentary evidence, improper influencing of witnesses, and other activities that could impede or compromise the investigation.

5 U.S.C. 552a(e)(1) requires that only such information as is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order can be maintained. Exemption from this provision is required because relevance and necessity can be determined only after information is evaluated. Evaluation at the time of collection is too time consuming for the efficient conduct of an investigation. Further, determining relevance or necessity of specific information in the early stages of an investigation is not possible.

5 U.S.C. 552a(e)(4)(G) and (H), and (f) provide for notification and access procedures. These requirements, if followed, would necessarily alert subjects of investigations to the existence of the investigation which could impair the investigation. Access to the records likewise could interfere with investigative and enforcement proceedings; disclose confidential informants and information; constitute an unwarranted invasion of personal privacy of others; and reveal confidential investigative techniques and procedures.

5 U.S.C. 552a(e)(4)(I) requires that categories of sources of records in each system be published. Application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentially. This would compromise the ability to conduct investigations.

USDA/ASCS—1

System name: Advisory Committee Files,USDA/ASCS.

System location: USDA/ASCS, Legislation and Committee Management, Room 228W, Administration Building, Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who are nominated and agree to serve as members of the advisory committees.

Categories of records in the system: Biographical data sheets, clearance letter from Office of Secretary, letter requesting the individual to serve, and his letter of acceptance.

Authority for maintenance of the system: 7 U.S.C. Sec. 1911-1913.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biographical data used in press releases to announce membership of the gommittee.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of this individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual file folders.

Retrievability: By individual's name.

Safeguards: Kept in file cabinets in Government office building.

Retention and disposal: Retained in active file as long as individual serves on the committee. Maintained in inactive file indefinitely.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the Committee Management Officer, USDA/ASCS, Room 228-W, Washington, D.C. 20250. A request for information pertaining to an individual should contain: name address, name of system of records, year of records in question, and any other pertinent information that will help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: From individual.

USDA/ASCS—2

System name: Biographical Background, USDA/ASCS

System location: Deputy Administrator, Management, USDA/ASCS, 14th & Independence Ave., S.W., Washington, D.C. 20250; Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114; Kansas City Commodity Office, Brymar Office Center, 2400 W. 75th Street, Prairie Village, Kansas 66208.

Each State ASCS office at address listed in local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service."

Categories of individuals covered by the system: Individuals who hold key positions in ASCS. Guest speakers and recipients of ASCS awards.

Categories of records in the system: Brief resume of individuals personal history.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To use in introduction of individual at speaking engagements. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by individual name.

Safeguards: Records are kept in locked office.

Retention and disposal: Indefinite.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Directly from the individual.

USDA/ASCS—3

System name: CCC Producer Loan Records, USDA/ASCS

System location: County ASCS office which services particular farm. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service.

Categories of individuals covered by the system: Individuals who have applied for commodity, storage structure or drying equipment loans. Includes all commodities for which price support loans are available.

Categories of records in the system: Complete files and records pertaining to the loans such as original loan note, collateral, credit ratings, lien searches, financial statements, applications, and disbursement documents.

Authority for maintenance of the system: 15 U.S.C. 714-714p.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (l) the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) disclosure may be made to a congressional office from the record of an individual in response to an inqiury from the congressional office at the request of the individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual folders.

Retrievability: Indexed by individual name or loan number.

Safeguards: Records are kept in locked fireproof file cabinets in Government office building.

Retention and disposal: Upon liquidation, original loan note is returned to producer. All other records destroyed 6 years after liquidation.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding a system of records, or information as to whether the system contains records pertaining to him from the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individuals in system, county court records, audit bureaus and ASCS program documents.

USDA/ASCS—4

System name: Commodity Brokers, USDA/ASCS

System location: Kansas City, Commodity Office, Brymar Office Center, 2400 West 75th Street, Prairie Village, Kansas 66208; Chicago Branch Office, Room 106, 226 W. Jackson Blvd., Chicago, Illinois 60604; Minneapolis Branch Office, Room 310, Grain Exchange Building, Minneapolis, Minnesota 55415; Houston Branch Office, 2320 LaBranch Street, Houston, Texas 77002.

Categories of individuals covered by the system: Individuals who merchandize CCC owned commodities.

Categories of records in the system: Name, address, phone number, volume of CCC business, record of adverse situations, letter of credit.

Authority for maintenance of the system: 15 U.S.C. 714-714p.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents maintained in file folders. Working list maintained in binders.

Retrievability: By individual name.

Safeguards: Stored in Government office buildings, which are locked after working hours.

Retention and disposal: List updated continuously. Folders maintained 6 years and disposed under normal operations of Federal Records Center.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding a system of records, or information as to whether the system contains records pertaining to him from the Director, Kansas City Commodity Office, 2400 West 75th Street, P.O. Box 8377, Shawnee Mission, Kansas 66208, telephone (816) 926-6401, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: From companies, individuals in system, regulatory authorities, and merchandizing records of Kansas City ASCS Commodity Office and branch offices.

USDA/ASCS—5

System name: Consultants File, USDA/ASCS.

System location: Management Services Division, USDA/ASCS, Room 6950-S, 14th and Independence Avenue SW., Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who perform consultant services for ASCS.

Categories of records in the system: Summary of negotiations, executed contract, work schedule, work performed, and purchase order.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in files at office listed above.

Retrievability: Indexed by name and contract number.

Safeguards: Filed in standard file cabinets and stored in Government office building with security guard.

Retention and disposal: 6 years after fiscal year contract is negotiated.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, 14th & Independence Avenue SW., Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the Director, Management Services Division, USDA/ASCS, Room 6950-South Building, 14th and Independence Avenue SW., Washington, D.C. 20250. A request for information pertaining to an individual should contain: name, address, name of system of records, year of records in question, and any other pertinent information that will help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual and ASCS employees.

USDA/ASCS—6

System name: Cotton Loan Clerks, USDA/ASCS.

System location: County ASCS office in county where approved clerks will execute loan documents. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service".

Categories of individuals covered by the system: Individuals who request permission to process loan documents.

Categories of records in the system: Agreement between the clerk and CCC, executed, signed and dated by applicant and the CCC contracting officer.

Authority for maintenance of the system: 7 U.S.C. 1421, 15 U.S.C. 714-714p.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: List furnished to lending agencies that participate in CCC Cotton Loan Program. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by name of individual.

Safeguards: Kept in locked Government office building.

Retention and disposal: 6 years after agreement is cancelled or suspended.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individuals making application.

USDA/ASCS-7

System name:

County Office Employees Administrative Expense File, USDA/ASCS.

System location:

Kansas City Management Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, MO 64114.

Categories of individuals covered by the system:

ASCS county and community committee members, and employees who are employed in county ASCS offices on a full or part-time basis.

Categories of records in the system:

The system contains the names of all county ASCS committee members and employees and information such as: Identifying number (social security number); race code; sex code; county code; biweekly amount of payroll check, including deduction amounts for FICA, Federal, State and local withholding, FEHBA, FEGLI (Optional), NASCOE dues, and bonds. Also records of the date of birth; CO grade and step; service computation; date of last WGI; health code; cumulative and current retirement deduction; and date severance pay ceases.

Authority for maintenance of the system:

16 U.S.C. 590.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to Internal Revenue Service for total annual income as required by the Internal Revenue Code. (2) Referral to State Revenue Board and local tax authorities for tax withholding or as required by Internal Revenue Code. (3) Referral to Office of Personnel Management for fringe benefits withholdings, 5 U.S.C. 8331, 8701, 8901. (4) Referral to Social Security Administration for FICA withholdings. (5) Referral to the general public in annual directories of county committee members. (6) Referral annually of summary data produced on microfilm to the Federal Civilian Personnel Records Center, St. Louis, Missouri, as a permanent record of employee's service with ASCS. (7) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the status, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (8) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (9) Disclosure in a proceeding before a court of adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (10) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual. (11) Referral to a collection or servicing contractor, or a local, State, or Federal agency, when ASCS determines a referral is appropriate for servicing or collecting the debtor's account or as provided for in contracts with servicing or collection agencies. (12) Referral to the Internal Revenue Service to enable it to offset and satisfy past-due, legally enforceable debts owed to USDA against Federal income tax refunds.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored on magnetic tape by the Kansas City Computer Center, 8930 Ward Parkway, Kansas City, Missouri 64114.

Retrievability:

Records are indexed by social security number.

Safeguards:

Records are kept in a fireproof vault in a secured area of the building.

Retention and disposal:

Maintained indefinitely on a currently updated basis.

System manager(s) and address:

Deputy Administrator, Management, ASCS, USDA, P.O. Box 2415, Washington, DC 20013.

Notification procedure:

An individual may inquire as to whether this system contains records pertaining to such individual from the Director, Kansas City Management Office, ASCS, USDA, 8930 Ward Parkway, Kansas City, Missouri 64114. A request for information regarding an individual should include: Full name, address, ZIP code, social security number, and the ASCS county office where the employee/committee member is employed. Before information about any record is released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

Same as notification procedures. An individual who wishes to request access to records in the system relating to that individual or who wishes to request correction of records believed to be in error should submit a written request to the appropriate official referred to in the preceding paragraph. (The regulation governing access to records and contesting contents of records are set forth at 7 CFR 1.110–1.123).

Contesting record procedures:

Same as record access procedure.

Record source categories:

Information in these records is based primarily on information obtained directly from the employee, and comes from scannable documents prepared by the ASCS county office where the individual is employed.

USDA/ASCS—8

System name: County Personnel Records, USDA/ASCS

System location: County ASCS office by which individual is employed, except that some records concerning county office employees are on file in State ASCS offices, the ASCS Management Institute, Stouffers University Inn, 3025 Olentangy River Road, Columbus, Ohio 43202 and the ASCS Personnel Division, Room 4752-South Building, 14th and Independence Avenue, S.W., Washington, D.C. 20250. The address of each ASCS State and county office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service".

Categories of individuals covered by the system: ASCS county and community committeemen, and employees who are employed in county ASCS offices on a full or part-time basis.

Categories of records in the system: Official record of county ASCS employee. Contains documents such as application, oath of office, personnel actions, job description, performance data, life and health insurance forms, annual pay status record, retirement record card, and any other documents, letters, or records which serve as proof of individual employment from 1933 to date.

Authority for maintenance of the system: 5 U.S.C. 8331, 8701, 8901; 16 U.S.C. 590h.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Verification of employment and salary furnished to lending agencies and credit bureaus; (2) Answers inquiries from prospective employers, both private and Government referrals; (3) State employment bureaus, if applicable, to Bureaus of Employee Compensation to support injury claims, (4) State organizations of National Association State and County Office Employees when employees request dues be withheld from salary; (5) Local banks when saving bonds are purchased and local taxing authority when local tax is withheld; (6) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (7) A court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (8) A record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (9) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in folders.

Retrievability: Indexed by individual name and social security number.

Safeguards: Records in county offices are kept in locked fireproof file in Government office building. Other records are stored in cabinets in locked or secured Government offices.

Retention and disposal: Maintained on site for duration of employment. Transferred to Civilian Personnel Record Center, St. Louis, Missouri, after separation.

System manager(s) and address: Deputy Administrator, Management, USDA/ASCS, Washington, D.C. 20250.

Notification procedure: Any individual may inquire as to whether this system contains records pertaining to him by contracting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record source categories: Individual employee, agency initiated documents, reference sources.

USDA/ASCS—9

System name: Emergency Livestock Feed Program, USDA/ASCS

System location: County ASCS office where farm is located for administrative purposes. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service.

Categories of individuals covered by the system: Individual requesting authorization to purchase livestock feed.

Categories of records in the system: Complete description of emergency on which eligibility and quantity determinations and actual deliveries are based.

Authority for maintenance of the system: 7U.S.C. 1427 and 1427 note.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folders.

Retrievability: Indexed by name of individual applicant.

Safeguards: Locked office.

Retention and disposal: Disposed of 6 years after end of program year.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual applicant.

USDA/ASCS—10

System name: Employee Resources Master File, USDA/ASCS.

System location: Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114.

Categories of individuals covered by the system: Federal employees (career, career conditional, temporary, general schedule, and wage board) who are presently employed in the Data Systems Field Office.

Categories of records in the system: Contains names of all individuals identified in the preceding paragraph and such information as social security number, date of birth, service date (for retirement and annual leave), pay plan, grade, step, occupational series, and annual salary, daily salary rate, hourly salary rate, overtime hourly rate, training course number, course sponsor, course title, hour credit, and completion date.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Records are indexed by employee name.

Safeguards: Records are kept in a fireproof vault in a secured area of Government office building.

Retention and disposal: Maintained indefinitely on a currently updated basis.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the Chief, Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information that will help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Summary of data maintained in the Official Personnel Folder.

USDA/ASCS—11

System name: EEO Committee and Counselors, USDA/ASCS.

System location: Office of the Administrator, USDA/ASCS, 14th & Independence Ave., S.W., Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who have been selected or considered to serve on EEO Committee or to be an EEO counselor.

Categories of records in the system: Resume of individual's qualifications.

Authority for maintenance of the system: 42 U.S.C. 2000d and 2000e; Executive Order 11246, 11375 and 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders at office listed above. Indexed by individual name.

Safeguards: Kept in locked government office building.

Retention and disposal: Destroyed 2 years after individual ceases to serve as a committeeman or counselor.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding a system of records, or information as to whether the system contains records pertaining to him from the Assistant to the Administrator for EEO, USDA/ASCS, Room 251-W, 14th and Independence Avenue, S.W., Washington, D.C. 20250. A request for information pertaining to an individual should contain: name, address, name of system of records, year of records in question, and any other pertinent information that will help to identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual.

USDA/ASCS—12

System name: EEO Complaints and Discrimination Investigation, USDA/ASCS

System location: USDA/ASCS, Office of the Administrator, 14th & Independence, Ave., S.W., Washington, D.C. 20250, and in offices of each EEO counselor at address posted on bulletin boards in Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who have been investigated for alleged discrimination as the result of a complaint and subsequent audit.

Categories of records in the system: Audit and investigation reports and supporting material. Individual files containing notes on meetings between counselor and employee.

Authority for maintenance of the system: 42 U.S.C. 2000d, 2000e, Executive Order 11246, 11375, and 11748.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by individual name.

Safeguards: Filed in locked files in Government office building.

Retention and disposal: Destroyed when case is closed.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding a system of records, or information as to whether the system contains records pertaining to him from the Assistant to the Admininstrator for EEO, Room 251-W, 14th and Independence Avenue, SW., Washington, D.C. 20250, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual, audit and investigation reports.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k) from the requirements of 5 U.S.C. 552a(c)(3)(d), (e) (1), (e)(4)(G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinzed, and thus allow them time to take measures to prevent detection of illegal action or escape procesution. Disclosure of investigative techniques and procedures, and of the existence and identify confidential sources of information would hamper law enforcement activity.

USDA/ASCS—13

System name: Farm Record File (Automated), USDA/ASCS

System location: Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114.

Categories of individuals covered by the system: Farm owners, operators, and other producers.

Categories of records in the system: Contains producer identification number, commodity ID, farm number, State code, county code, disaster identification, CCC draft number, CCC draft amount, refund amount, net amount, allotment acres, yield per acre, silage tonnage, and program year.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787, 15 U.S.C. 714b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Records are indexed by State, county, and farmer identification number.

Safeguards: Tapes are kept in a fireproof vault in a secured part of Government office building.

Retention and disposal: Maintained throughout the program year on a currently updated basis. Prior program year tapes are retained for history purposes.

System manager(s) and address: Director, Management Services Division, USDA/ASCS, P.O. Box 2415 Washington, D.C. 20013.

Notification procedure: Any individual may request information on this system of records or information as to whether the system contains records pertaining to him (her) from Director, Kansas City Management Field Office, ASCS/USDA, 8930 Ward Parkway, Kansas City, Missouri 64114, telephone number 816-926-6502. A request for information pertaining to an individual should contain full name, address and zip code.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him (her), by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from documents submitted by the ASCS county office maintaining farm records on the individual producer. Information in these records is obtained directly from the individuals in the system.

USDA/ASCS—14

System name: Farm Records File (Manual), USDA/ASCS

System location: County ASCS office which services particular farm. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service."

Categories of individuals covered by the system: Farm owners, operators, and other producers.

Categories of records in the system: Contains complete documentation of participation in active programs as well as discontinued programs. Includes but not necessarily limited to farm allotments, bases, and history, compliance data, production and marketing data, appeals, new grower applications, conservation program documents, program participation and payments, appraisals, leases, and data for farm reconstitutions.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787; 15 U.S.C. 714b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any records within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) farm allotment and quota data for marketing quota crops is made available for public inspection as required by The Agricultural Act of 1938, as amended (7 U.S.C. 1281-1393); 7

CFR Parts 722-726, and 728-730; (4) tobacco sales bills referred to appropriate loan associations when tobacco is placed under government loan; (5) name, address, farm number and pounds of quota designated to Flue Cured Tobacco Stabilization Corporation which uses this data to assist in administering the flue cured tobacco warehouse designation program, labs for making chemical analysis of tobacco. Referral to State Forester for technical service on forestry practices. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Referral to individual Congressmen, upon their request to provide information to their farmer constituency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintain in file folders at applicable location above.

Retrievability: Indexed by individual name or farm identification number.

Safeguards: Records are kept in locked office.

Retention and disposal: 5 years after end of program year, except long term agreement conservation records which are 5 years after program year in which a practice is completed.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Data Systems Division, USDA/ASCS, Room 5741-South Building, 14th and Independence Avenue, S.W., Washington, D.C. 20250, telephone (202) 447-7561, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual farmer, agency executed documents.

USDA/ASCS—15

System name: Farmer's Name and Address Master File (Automated) USDA/ASCS.

System location: Management Field Office, ASCS-USDA, 8930 Ward Parkway, Kansas City, Missouri 64114.

Categories of individuals covered by the system: All known farmers who reside in area served by the local county ASCS office.

Categories of records in the system: Contains names and addresses and zip codes of all farmers and other information, such as, social security or producer identification number, race code, State and county code on farmers who participate.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787; 15 U.S.C. 714b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Furnished to (1) Internal Revenue Service to report total annual payments to each producer; (2) approved Cooperative Marketing Associations for price support loan eligibility; (3) State and county taxing authorities and (4) Commodity Promotion Boards where producer funds are withheld by ASCS. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Referral to individual Congressmen, upon their request to provide information to their farmer constituency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on mag-tape by the Kansas City Computer Center at the address shown above.

Retrievability: Records are indexed by the producer identification number of the individual farmer, in State and county sequence.

Safeguards: Records are kept in a fire proof vault in a secured area of Government office building.

Retention and disposal: Records of current producers are maintained indefinitely. Additions, deletions and corrections are made periodically.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertinent to him, from the Director, Management Field Office, Kansas City, Missouri 64114, telephone 816-926-6502. A request for information pertaining to an individual should contain: Name, address, producer idenification number(s) and the ASCS county office(s) where the farm records are maintained.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the official referred to in the preceding paragraph.

Contesting record procedures: Same as Records Access Procedure.

Record source categories: Directly from individual and from documents submitted by the ASCS county office.

USDA/ASCS—16

System name: Farmers' Name and Address Master File (Manual), USDA/ASCS

System location: County ASCS office where the farmers' farm is located for administrative purposes at address listed in the local telephone directory under the heading of "United States Government, Department of Agriculture, Agricultural Stabilization & Conservation Service."

Categories of individuals covered by the system: Farmers who participate in farm programs administered by ASCS, or who are known to the local ASCS office.

Categories of records in the system: Contains names and addresses and ZIP codes of all farmers including such information as social security number and producer identification number, race, State and county code, and farm data.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787; 15 U.S.C. 714b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in contacting farmers in carrying on business of ASCS. Appropriate lists are furnished to (1) suppliers of material and services, eligible voters in same county, (2) cotton buyers, and to cotton, rice, and peanut cooperatives. Referral to Commodity Promotion Boards when producer funds are withheld by ASCS. Referral to local taxing authorities and professional appraisal companies or consultants working under contract with such taxing authorities for tax appraisal purposes. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on addressograph plates and imprinter plates, at applicable locations above.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in locked Government office.

Retention and disposal: Maintained as a current record until superceded by updated address.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contact the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S. Washington, D.C. 20250, 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: From individuals, postal department, and county courthouse, if necessary to locate absentee owner of farm.

USDA/ASCS—17

System name: Indemnity and Incentive Programs—USDA/ASCS

System location: County ASCS Office which services particular farm. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization & Conservation Service."

Categories of individuals covered by the system: Individual filing application for wool, mohair, incentive payments, milk and bee indemnity program payments.

Categories of records in the system: Contains complete file on which eligility for payment determination are based.

Authority for maintenance of the system: 7 U.S.C. 1781-1787, 135b, 450k.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Indexed by individual producer's name.

Safeguards: Kept in locked file in Government Office Building.

Retention and disposal: Disposed of 6 years after end of program year.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20013

Notification procedure: An indivdual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S. Washington, D.C. 20250, 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notifications procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual furnishes information when making application for payment.

USDA/ASCS—18

System name: Investigation and Audit Reports—USDA/ASCS

System location: USDA/ASCS, 14th and Independence Ave., S.W., Washington, D.C. 20250. Kansas City Commodity Office, USDA-ASCS, Brymar Office Center, 2400 W. 75th, Prairie Village, Kansas 66208. State ASCS offices at address listed in local telephone directory under United States Government, ASCS/USDA.

Categories of individuals covered by the system: Individuals who are the subject of a formal investigation relative to alleged program or administrative irregularities.

Categories of records in the system: Contains complete files on individual investigations, including program documents, investigation reports, statements of witnesses, accident reports, and agency reports.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, issued pursuant thereto; referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above. Records are indexed by name of individual being investigated and investigation case number.

Safeguards: Kept in locked files in Government office building.

Retention and disposal: Destroyed when case is closed.

System manager(s) and address:

Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3) (d), (e)(1), (e)(4) (G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures, and of the existence and identity of confidential sources of information would hamper law inforcement activity.

USDA/ASCS—19

System name: Maximum Payment Limitations, USDA/ASCS

System location: County ASCS Office which services particular farm. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization & Conservation Service."

Categories of individuals covered by the system: Individual subject to Program Payment Limitation.

Categories of records in the system: Financial statement and applicable farm information as well as tax statements, will & trust documents and corporation charters.

Authority for maintenance of the system: 7 U.S.C. 1307.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by rule, regulation or order issued pursuant thereto; Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by name of individual.

Safeguards: Kept in locked file in Government office building.

Retention and disposal: Destroyed 5 years after end of Program year.

System manager(s) and address: Deputy Administrator, Management, ASCS/USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Information furnished by individual producer.

USDA/ASCS—20

System name: Power of Attorney & Designated Agents, USDA/ASCS

System location: County ASCS Office which services particular farm. The address of each county ASCS office can be found in the local telephone directory under the heading "United States Government, Department of Agriculture, Agricultural Stabilization & Conservation Service."

Categories of individuals covered by the system: Individuals giving powers of attorney and individuals securing the powers to act as agent.

Categories of records in the system: Documents authorizing an individual to act as a representative of a producer or company.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787; 15 U.S.C. 714 b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Indexed by name of individual.

Safeguards: Kept in locked file in Government office building.

Retention and disposal: Destroyed 6 years after authority is cancelled or suspended.

System manager(s) and address: Deputy Administrator, Management, ASCS/USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Producer or company which authorized the agent to conduct business.

USDA/ASCS—21

System name: Producer Appeals, USDA/ASCS

System location: ASCS, Program Appeals Staff, Room 4723, So., Building, 14th & Independence Avenue, S.W., Washington, D.C. 20250.

Categories of individuals covered by the system: Farm owners, operators or producers who file program appeals on prior determinations made by State ASCS Committees or the Deputy Administrator, Programs.

Categories of records in the system: The system consists of complete files on appeals including farm records, correspondence, investigations and audit reports, statements of witnesses, record and verbatim transcript of hearing.

Authority for maintenance of the system: 7 U.S.C. 135b, 450k, 1281-1393, 1421-1449, 1781-1787; 15 U.S.C. 714 b and c; 16 U.S.C. 590a-590q, 1301-1311; 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by rule, regulation or order issued pursuant thereto; referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Record are maintained in file folders.

Retrievability: Indexed by name of individual.

Safeguards: Kept in office attended by authorized personnel.

Retention and disposal: Maintained 6 years after case is closed.

System manager(s) and address: Deputy Administrator, Management, ASCS, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding a system of records, or information as to whether the system contains records pertaining to him from the Director, Program Appeals Staff, USDA/ASCS, Room 4723-South Building, 14th and Independence Avenue, S.W., Washington, D.C. 20250. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Individual, witnesses, ASCS county personnel.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k) from the requirements of 5 U.S.C. 552a(c)(3)(d), (e)(1), (e)(4)(G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures, and of the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/ASCS—22

System name: Producer Payment Reporting File 365 and 368—USDA/ASCS

System location: Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114

Categories of individuals covered by the system: Farmers who participate in Programs administered by ASCS.

Categories of records in the system: Contains names and addresses of all participating farmers including ZIP code, concerned with ASCS farm programs, including such information as: Social security number or producer identification number, State and County codes, and program payment data.

Authority for maintenance of the system: 26 U.S.C. 6109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Furnished to (1) Internal Revenue Service for total annual payment to each producer; (2) Farmers for record of payments received by him (her) and reported to IRS. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Indexed by name of individual.

Safeguards: Kept on magnetic tape in a fireproof vault in a secured area of Government office building.

Retention and disposal: Maintained indefinitely on a currently updated basis.

System manager(s) and address: Deputy Administrator, Management, ASCS/USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information on this system of records or information as to whether the system contains records pertaining to him (her) from Director, Kansas City, Management Field Office, ASCS/USDA, 8930 Ward Parkway, Kansas City, Missouri, 64114, telephone number 816-926-6502. A request for information pertaining to an individual should contain name, address and ASCS county office(s) where farm records are maintained.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him (her), by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedure.

Record source categories: Documents submitted by the ASCS county office maintaining farm records on the individual producer and submitted primarily by such producers to the county office.

USDA/ASCS—23

System name: Shorn and Unshorn Wool and Mohair—USDA/ASCS

System location: Management, Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114

Categories of individuals covered by the system: Farmers who participate in the shorn and unshorn wool and mohair incentive programs administered by ASCS.

Categories of records in the system: Contains names and addresses of all farmers participating in the ASCS wool and mohair incentive program for the current marketing year, and other data such as: Social security number and wool production data.

Authority for maintenance of the system: 7 U.S.C. 1781-1787; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Furnished to (A) Idaho Sheep Commission to report number of head shorn. (B) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (C) Navaho Indian Agency, Bureau of Indian Affairs sight drafts and payment statements for individual payments for Navaho program participants. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape

Retrievability: Indexed by name of individual producer in State and county sequence.

Safeguards: Kept in a fireproof vault in a secured area of Government office building.

Retention and disposal: Retained for three prior marketing years and disposed of by re-using the obsolete magnetic tapes.

System manager(s) and address: Director, Management Services Division, USDA/ASCS, P.O. Box 2415, Washington. D.C. 20013

Notification procedure: Any wool producer may request information on this system of records or information as to whether the system contains records pertaining to him (her) from Director, Kansas City Management Field Office, USDA/ASCS/8930 Ward Parkway, Kansas City, Missouri 64114, telephone 816-926-6502. A request for information pertaining to an individual should contain name, address, social security number, and county where farm is located.

Record access procedures: Any wool producer may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate offical referred to in the preceeding paragraph.

Contesting record procedures: Same as Records Access Procedure.

Record source categories: Information in this system comes primarily from applications for wool and mohair payments documents submitted by the ASCS county offices maintaining farm records on the individual wool producer who is the primary source of the data.

USDA/ASCS-24

System name:

Subsidiary Personnel, Pay and Travel Records—USDA/ASCS.

System location:

Any ASCS office where individual is employed at the address shown in the local telephone directory under the heading, "United States Government, Department of Agriculture, Agricultural Stabilization and Conservation Service."

Categories of individuals covered by the system:

Individual employed by ASCS, except county office employees and committee members.

Categories of records in the system:

Agency copies of personnel actions, training records, performance ratings, earnings statements, time and attendance reports, travel authorizations and vouchers, payroll deduction records, service record cards, record of accountable documents charged to employee, appeal cases, and conflict of interest statements.

Authority for maintenance of the system:

5 U.S.C. 301; 7 CFR 2.65.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Answer inquiries from prospective employers when employee gives immediate supervisor or co-worker as reference. (2) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (3) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (5) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual. (6) Referral to a collection or servicing contractor, or a local, State, or Federal agency, when ASCS determine a referral is appropriate for servicing or collecting the debtor's account or as provided for in contracts with servicing or collection agencies. (7) Referral to the Internal Revenue Service to enable it to offset and satisfy past-due, legally enforceable debts owed to USDA against Federal income tax refunds.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in file folders at addresses referenced above.

Retrievability:

Indexed by name of individual employee.

Safeguards:

Kept in file cabinets at addresses referenced above.

Retention and disposal:

Maintained in active status during the employee's tenure at the organizational entity. After transfer or separation, maintained in inactive status to be used to answer employment inquiries. Conflict of interest statement retained 2 years after employee is separated.

System manager(s) and address:

Deputy Administrator, Management, ASCS, USDA, P.O. Box 2415, Washington, DC 20013.

Notification procedure:

An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to the Director, Information Division, ASCS, USDA, P.O. Box 2415, Washington, DC 20013, who, if necessary, will refer it to the appropriate office. A request for information pertaining to an individual should contain: Full name, address, ZIP code, taxpayer identification number, name of the system of records, year of records in question, and any other pertinent information to help identity the file. Before information about any record is released, the System Manager may require the individual to provide proof of identify or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

Same as notification procedure. An individual who wishes to request access to records in the system relating to that individual or who wishes to request correction of records believed to be in error should submit a written request to the System Manager. (The regulations governing access to records and contesting contents of records are set forth at 7 CFR 1.110–1.123).

Contesting record procedures:

Same as record access procedures.

Record source categories:

Information in these records is obtained directly from the employee, the Office of Personnel Management, and agency-initiated documents.

USDA/ASCS—25

System name: Tobacco (Flue-cured, Burley) Farm History Master . File, USDA/ASCS

System location: Management Field Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, Missouri 64114

Categories of individuals covered by the system: Farmers who participate in the flue-cured or burley tobacco programs.

Categories of records in the system: Contains names and addresses of all participating tobacco farmers and such information as State county, farm number, allotments and quotas, production and marketing data, lease and transfer data.

Authority for maintenance of the system: 16 U.S.C. 590; 7 U.S.C. 1281-1393; 7 U.S.C. 1421-1449; 7 CFR 2.65

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Furnished to Congress upon request from members and Congressional Agencies; Cooperative marketing associations for price support and marketing data; and Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record, within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Indexed by State, county, farm number, community number and producer's name.

Safeguards: Kept in fireproof vault in a secured area of Government office building.

Retention and disposal: Maintained indefinitely on a currently updated basis.

System manager(s) and address: Director, Management Services Division, USDA/ASCS, P.O. Box 2445, Washington, D.C. 20013

Notification procedure: Any individual may request information on this system of records or information as to whether the system contains records pertaining to him from Director, Kansas City Management Field Office, ASCS/USDA, 8930 Ward Parkway, Kansas City, Missouri 64114, telephone 816-926-6502. A request for information pertaining to an individual should contain name, address, and county where tobacco farm is located.

Record access procedures: Any tobacco producer may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedure.

Record source categories: Documents submitted by the ASCS county office maintaining farm records on the individual producer and submitted primarily by him (her) to the county office.

USDA/ASCS—26

System name: Tort, Program, and Civilian Employee Claims USDA/ASCS

System location: Any ASCS office having jurisdiction over the claim at the location listed in the local telephone directory under United States Government, USDA/ASCS.

Categories of individuals covered by the system: Individual by whom or against whom claim involving ASCS or CCC has been filed.

Categories of records in the system: Complete files on individual claims, including claim forms, police reports, investigation and accident reports, statement of witnesses, and agency reports.

Authority for maintenance of the system: Pub.L. 83-480; Pub.L. 89-508; 28 U.S.C. 2671-2680; 31 U.S.C. 240; 5 U.S.C. 8101-8150; 7 U.S.C. 135b, 450k, 1281-1393; 1421-1449, 1781-1787; 15 U.S.C. 714 b and c; 16 U.S.C. 590a-590q, 1301-1311.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or enforcing or implementing the statute, rule, regulation or order issued pursuant thereto; of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (2) Department of Labor for those arising under the Federal Employees Compensation Act; (3) insurance companies where necessary for resolution of claim; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual; and (5) referral of list of producer names on claim record to cotton loan clerks for offsetting.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual claim folders.

Retrievability: Indexed by name of claimant number.

Safeguards: Kept in locked file cabinets in Government office building.

Retention and disposal: Retained after settlement for 6 years if CCC and 5 years if appropriated funds involved.

System manager(s) and address: Deputy Administrator, Management, ASCS/USDA, Washington, D.C. 20250.

Notification procedure: An individual may inquire as to whether this system contains records pertaining to him by contacting the head of the office where the records are located. If the specific location of the records is not known, the individual should address his request to Director, Management Services Division, USDA/ASCS, Room 6959-S, Washington, D.C. 20250, telephone, 202-447-2717, who if necessary will refer it to the appropriate office. A request for information pertaining to an individual should contain: Name, address, name of system of records, year of records in question, and any other pertinent information to help identify the file.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Information in this system comes primarily from claimants, witnesses, agency employees, and investigative personnel.

USDA/ASCS—27

System name: Peanut Allotment and Quota File, USDA/ASCS.

System location: Management Field Office, USDA/ASCS 8930 Ward Parkway, Kansas City, Mo. 64114.

Categories of individuals covered by the system: All producers who participate in the peanut allotment and quota program as set forth by the Food and Agriculture Act of 1977. (Effective 1978 through 1981 peanut crop year.)

Categories of records in the system: This file contains data such as farm number, producer name, address, State and county in which peanut farming is conducted, acreage allotments, quotas and marketing data.

Authority for maintenance of the system: 7 U.S.C. 1358, 1359, 1373, 1377 and 1441.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Furnished to Cooperative Marketing Associations for price support and marketing data; and referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or by rule, regulation or order issued pursuant thereto; referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Disclosure may be made to Federal State Inspection Service, Cooperative Peanut Associations and Peanut Board.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes and disks at the Kansas City Computer Center, 8930 Ward Parkway, Kansas City, Mo. 64114.

Retrievability: Records are indexed by State, county and farm number.

Safeguards: Records maintained on magnetic tapes and disks are kept in a limited access secured Federal Government facility.

Retention and disposal: Maintained on a currently updated basis for the 1978-1981 crop years of peanuts.

System manager(s) and address: Deputy Administrator, Management, USDA/ASCS, Washington, D.C. 20250.

Notification procedure: Any peanut producer may request information on this system of records or information as to whether or not the system contains records pertaining to the named producer from: Director, Management Field Office, USDA/ASCS, 8930 Ward Parkway Kansas City, Mo. 64114, telephone 816-926-6502. However, all data concerning the producer is available in the appropriate county ASCS office, as well as similar peanut allotment and quota information about other peanut producers in the county. Thus the county office would be the most help in servicing a Privacy Act request for personal data from the peanut producer. A request for information pertaining to an individual, as a minimum, must contain name, address and ASCS county office(s) where peanut farm records are maintained.

Record access procedures: Same as notification procedure.

Contesting record procedures: Same as notification procedure.

Record source categories: Information in this system comes primarily from documents origination in county ASCS offices and from information submitted by peanut producers and peanut associations to the county ASCS office(s).

USDA/ASCS-28

System name:

Claims Data Base (Automated), USDA/ASCS.

System location:

Kansas City Management Office, USDA/ASCS, 8930 Ward Parkway, Kansas City, MO 64114.

Categories of individuals covered by the system:

Agricultural producers.

Categories of records in the system:

Information identifying the delinquent debtor, such as name, address, producer identification number (social security number or taxpayer identification number); information relating to claim identification, such as claim control number, which is comprised of a State and county code and an alpha-numeric control number; codes identifying the type of claim and the basis for establishing the claim; identification of programs under which the claim arose; date the claim arose; loan, farm or contract number; interest rate applied to claim; the date interest on the claim starts and the principal amount of the claim; information related to claims actions and status changes which have occurred since the claims was initially established, such as transfers from originating ASCS office to other ASCS State or county offices and referrals to the Office of the General Counsel for legal action; termination of claims actions; changes in claim amount resulting from compromises, addition of collection or court costs and brief remarks which identify or clarify actions being taken by the ASCS office submitting the claim information.

Authority for maintenance of the system:

7 U.S.C. 1281–1393; 7 U.S.C. 1421–1449 and 15 U.S.C. 714–714p.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

USDA employees maintain and update the system with expanded claims data for assistance in preparation of the SF-220 report (Report on Status of Accounts and Loans Receivable from the Public) and the production of other debt management reports. (1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual. (5) Referral of delinquent commercial debt information, which is filed in the system, to a commercial credit reporting agency for it to make the information publicly available. Only that information directly related to the identity of the debtor and history of the claim will be released. Debtor information will consist of the following: The debtor's name, address, taxpayer identification number, and other information necessary to establish the identity of the debtor; the amount, status, and history of the claim, and the program under which the claim arose. (6) Referral to a collection or servicing contractor, or a local, State, or Federal agency, when ASCS determines a referral is appropriate for servicing or collecting the debtor's account or as provided for in contracts with servicing or collection agencies. (7) Referral to the Internal Revenue Service to enable it to offset and satisfy past-due, legally enforceable debts owed to USDA against Federal income tax refunds. (8) Referral of information regarding indebtedness to the Defense Manpower Data Center, Department of Defense, for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their repayment of debts owed to the U.S. Government under certain programs administered by ASCS/CCC in order to collect debts under the provisions of the Debt Collection Act of 1982 (Pub. L. No. 97-365) by voluntary repayment, administrative or salary offset procedures, or by collection agencies. (9) Referral of information regarding indebtedness to the United States Postal Service for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their repayment of debts owed to the U. S. Government under certain programs administered by ASCS/CCC in order to collect debts under the provisions of the Debt Collection Act of 1982 (Pub. L. 97-365) by voluntary repayment, administrative or salary offset procedures, or by collection agencies.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Claims Data Base records are stored on disk files.

Retrievability:

Records can be accessed by producer identification number (if available), farm number or State, county and claim number.

Safeguards:

On-line access to data in the Claims Data Base (Automated) is controlled by password protection. The data base is duplicated on magnetic tape files.

Retention and disposal:

Claim records remain on the data base for four months after a claim has been zero-balanced, at which time the data is transferred from disk to tape files. The data is retained on tape files for one year. Data on magnetic tape files is then written over for disposal.

System manager(s) and address:

Director, Kansas City Management Office, ASCS, USDA, 8930 Ward Parkway, Kansas City, Missouri 64114.

Notification procedure:

An individual may request information as to whether the system contains records pertaining to such individual from the Director, Kansas City Management Office, ASCS, USDA, 8930 Ward Parkway, Kansas City, Missouri 64114. A request for information regarding an individual should include: Full name, address, ZIP code, producer identification number (if available), farm number or claim number, and any other pertinent information to help identify the file. Before information about any record is released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

Same as notification procedure. An individual who wishes to request access to records in the system relating to that individual or who wishes to request correction of records believed to be in error should submit a written request to the System Manager. (The regulations governing access to records and contesting contents of records are set forth at 7 CFR 1.110-1.123).

Contesting record procedures:

Same as record access procedures.

Record source categories:

Records in this system come primarily from documents submitted by the ASCS county office maintaining farm records on the individual producer. Information in these records is obtained directly from the individuals in the system.

USDA/APHIS—1

System name:

Plant Protection and Quarantine—Regulatory Actions, USDA/APHIS.

System location:

Plant Protection and Quarantine Program, USDA/APHIS, Room 643 Federal Building, Hyattsville, MD 20782.

Categories of individuals covered by the system:

Violators and alleged violators of plant protection and quarantine laws and regulations.

Categories of records in the system:

The system consists of case files on violators and alleged violators and contains copies of violation report forms, compliance agreements, employee or other witness statements, warning notices, Office of the General Counsel (OGC) recommendations to the Department of Justice and court disposition documents. Complaints, consent decisions, and decisions and orders in relation to civil penalties assessed by the U.S. Department of Agriculture.

Authority for maintenance of the system:

7 U.S.C. 150gg, 163.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders in metal file cabinets.

Retrievability:

Records are manually retrieved by case numbers assigned to individual violators and alleged violators.

Safeguards:

Records are maintained in locked files with APHIS employees in attendance during working hours.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Deputy Administrator, Plant Protection and Quarantine, USDA/APHIS, 14th & Independence Avenue, SW, Washington, D.C. 20250.

Notification procedure:

All inquiries should be addressed to:

APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Systems exempted from certain provisions of the act:

This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See 7 CFR 1.23. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to:

APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

USDA/APHIS—2

System name:

Veterinary Services—Records of Accredited Veterinarians, USDA/APHIS.

System location:

Veterinary Services Program, USDA/APHIS, Room 828AA Federal Building, Hyattsville, MD 20782.

Categories of individuals covered by the system:

Private veterinary practitioners who are accredited by the Federal and State governments to issue health certificates for the interstate and international movement of livestock and participate in cooperative State/Federal animal health programs.

Categories of records in the system:

(1) Record includes name of accredited veterinarian, social security number, mailing address, phone number, type of practice, State in which accredited State license number, college and date of graduation, and score on accreditation examination. (2) Record also includes material pertaining to alleged violations of accreditation standards. If allegations are proven true the record includes the disposition of the case which may be revocation of accreditation.

Authority for maintenance of the system:

21 U.S.C. 105, 111-114a-1, 116, 125, 134b, 134f.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to State Animal Health officials to certify that a particular individual is indeed accredited. (2) Referral to State veterinary examining boards to certify that a particular individual is indeed accredited. (3) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (4) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (5) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (6) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are electronically stored at the Washington Computer Center.

Retrievability:

Records are electronically retrieved by alphabetized names and social security numbers.

Safeguards:

The computer files and tapes are kept in a safeguarded environment with access only by authorized personnel.

Retention and disposal:

Records are maintained for the individual's lifetime or until no longer licensed.

System manager(s) and address:

Deputy Administrator, Veterinary Services, USDA/APHIS, 14th & Independence Avenue, SW, Washington, DC 20250.

Notification procedure:

All inquiries should be addressed to:

APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Record source categories:

Material is transcribed from documents submitted by the individual. Material is verified by State and Area Animal Health Officials which sometimes results in additional source material submitted by such officials.

Systems exempted from certain provisions of the act:

The portions of this system which consist of investigatory material compiled for law enforcement purposes have been exempted pursuant to 5 U.S.C. 552a(k)(2) from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 7 CFR 1.23. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

USDA/APHIS—3

System name:

Veterinary Services—Animal Quarantine Regulatory Actions, USDA/APHIS.

System location:

Veterinary Services Program, USDA/APHIS, Room 821, Federal Building, Hyattsville, MD 20782.

Categories of individuals covered by the system:

Veterinarians; Livestock Market Operators; Livestock Haulers; Livestock Dealers, Buyers, and Brokers; Livestock Owners and Producers.

Categories of records in the system:

Investigatory and case files of alleged violations of quarantine laws contain the alleged violator's name and address, type of infraction, and documentation of the alleged infraction. The file includes closed cases as well as the current status of those cases remaining unresolved.

Authority for maintenance of the system:

21 U.S.C. 101-105, 111-134.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an

interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders in metal file cabinets.

Retrievability:

Numbered cases are cross-indexed by alphabetized names. Files are manually retrieved.

Safeguards:

Records are maintained in locked files with APHIS employees in attendance during working hours.

Retention and disposal:

Precedent setting cases are destroyed 7 years after the case is closed. Routine cases are destroyed 5 years after the case is closed. Investigations not resulting in violations are destroyed 1 year after they are closed.

System manager(s) and address:

Deputy Administrator, Veterinary Services, USDA/APHIS, 14th & Independence Avenue, SW, Washington, D.C. 20250.

Notification procedure:

All inquiries should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Systems exempted from certain provisions of the act:

This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See 7 CFR 1.23. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

USDA/APHIS—4

System name:

Veterinary Services—Animal Welfare and Horse Protection Regulatory Actions, USDA/APHIS.

System location:

Veterinary Services Program, USDA/APHIS, Room 821 Federal Building, Hyattsville, MD 20782.

Categories of individuals covered by the system:

Dealers, exhibitors, and other individuals required to be licensed or registered under the Federal Laboratory Animal Welfare Act of 1966, as amended. Operators of research facilities and other individuals required to be registered under the Federal Laboratory Animal Welfare Act of 1966, as amended. Horse trainers, owners, exhibitors, and other individuals subject to the Horse Protection Act of 1970.

Categories of records in the system:

Investigatory and case files contain the alleged violator's name and address, type of infraction, and documentation of the alleged infraction. The files include closed cases as well as the current status of those cases remaining unresolved.

Authority for maintenance of the system:

7 U.S.C. 2131 et seq.; 15 U.S.C. 1821 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on index cards and in file folders in metal file cabinets.

Retrievability:

Numbered cases are cross-indexed by alphabetized names. Files are manually retrieved.

Safeguards:

Records are maintained in locked files with APHIS employees in attendance during working hours.

Retention and disposal:

Precedent setting cases are destroyed 7 years after the case is closed. Routine cases are destroyed 5 years after the case is closed. Investigations not resulting in violations are destroyed 1 year after they are closed.

System manager(s) and address:

Deputy Administrator, Veterinary Services, USDA/APHIS, 14th & Independence Avenue, SW, Washington, D.C. 20250.

Notification procedure:

All inquiries should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Systems exempted from certain provisions of the act:

This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See 7 CFR 1.23. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

USDA/APHIS-6

System name:

Veterinary Services—Brucellosis Information System and Brucellosis Recording and Reporting System, USDA/APHIS.

System location:

The Brucellosis Information System—U.S. Department of Agriculture, Fort Collins Computer Center, Colorado, and each of the various States. The Brucellosis Recording and Reporting System—Federal and State area offices; Federal Regional Offices; and Hyattsville, Maryland.

Categories of individuals covered by the system:

Herd owners whose animals or herds are tested, studied, or restricted because of brucellosis; livestock markets; slaughter establishments; and livestock dealers (including agents and brokers) handling livestock covered by the program; milk processing plants receiving milk or cream from dairy farms; laboratories conducting brucellosis program tests or procedures; State, Federal, and contractual personnel engaged in program activities.

Categories of records in the system:

Information on herds and individual animals tested, studied, or restricted under the brucellosis program; epidemiologic studies; animals, specimens, or premises sampled, identified, inspected, tested, handled, or restricted under the brucellosis program by State, Federal or contractual personnel; animal identification, health and movement data of animals covered under program activities for traceback of disease from livestock markets, slaughter plants, and livestock dealers or livestock brokers or commission firms; milk and cream samples and related identification data for brucellosis testing from milk processing plants receiving fresh farm milk; and brucellosis test data from laboratories approved to do brucellosis program testing.

Authority for maintenance of the system:

21 U.S.C. 111, 112, 114, 114a-1, 115, 120, 121, 125, 134a-134f and Title 9, Code of Federal Regulations, Part 51 and Part 78.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records maintained in the computer system will be routinely used by the Federal and State government personnel for: (1) Detecting the foci of infection to reduce the rate of spread of infection to new herds; (2) evaluating brucellosis program activities of State, Federal, and contractual personnel; (3) preparing mailing labels and preaddressed forms to enhance field activities; (4) evaluating program effectiveness; (5) detecting factors of epidemiologic importance in containing or eliminating foci of infected herds; (6) assuring that brucellosis indemnities are promptly and properly paid; (7) notification of livestock owners with the animals at high risk of exposure to brucellosis because of livestock movements or an outbreak of disease or presence of quarantined premises in a community; (8) referral to the appropriate agency, whether Federal, State, local, or foreign, charged with responsibility of investigating or prosecuting a violation of law concerning animal disease control and eradication, or of enforcing or implementing a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law concerning animal disease control and eradication, whether civil, criminal, or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation, or court order issued pursuant thereto; (9) litigation by the Department of Justice when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (10) use in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (11) response to a request from a congressional office from the record of an individual made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The Brucellosis Information System's records will be maintained on on-line disk storage and magnetic tapes. The Brucellosis Recording and Reporting System's records will be maintained on floppy disk storage and/or magnetic tapes.

Retrievability:

Under this system, data may be retrieved and organized by any of the categories which have been recorded. This will greatly improve the ability to retrieve existing records and to serve the livestock industry in the eradication of brucellosis.

Safeguards:

The only individuals with access to this system are Federal and State government employees with a need to know. The data base is secured on a State-by-State basis. The brucellosis program planning staff has access to all information in the computerized system without restrictions. The computer files, tapes, and disks are kept in a safeguarded environment with access only by authorized personnel.

Retention and disposal:

(1) Herd records are maintained in the data base as follows: (a) Infected herds not depopulated or sold out are always on-line. (b) Depopulated or sold out herds are archieved. (c) Herd tested but not infected are kept on-line for 6 months after testing and then archived on a fiscal year basis. Archived data are kept for 15 years. (2) Records pertaining to animals, specimens, or premises sampled, identified, inspected, tested, handled, or restricted by State, Federal, or contractual personnel are kept on-line as long as the individual is working in brucellosis programs. Once employment or accreditation is terminated, the information is archived by fiscal year for 15 years. (3) Livestock market, slaughter, establishment, livestock dealer, milk processing plant, and laboratory records pertaining to animal or herd information are retained as described under (1) above.

System manager(s) and address:

Deputy Administrator, Veterinary Services, USDA/APHIS, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Notification procedure:

All inquiries should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Record source categories:

(1)Epidemiologic information for herds and animals is obtained from documents and reports completed by Federal and State employees or contractual personnel as a part of testing a herd or animal(s) or as a part of investigating the source and spread of brucellosis within the livestock population. (2) Information for work related activities is made available by the appropriate State or Federal office for personnel and contractual employees paid from its funds. (3) Livestock market, slaughter establishment, livestock dealer, milk processing plant, and laboratory information is acquired in the course of obtaining other program activity information such as where samples were collected, where animals identification was applied, where samples were tested, and how the samples or animals were handled or processed prior to or following collection of testing.

USDA/APHIS—7

System name:

Animal Damage Control Non-Federal Personnel Records—USDA/APHIS.

System location:

Animal Damage Control State Area Offices.

Categories of individuals covered by the system:

Animal Damage Control Program Cooperative Employees; i.e., State and other.

Categories of records in the system:

(1) Non-Federal Employees- recruitment forms, medical forms, security records, life and health insurance forms, military service records, motor vehicle exam records, education and skills records, training records, disciplinary and suspension records, letters of commendation; (2) Payroll Records—Time and attendance records, State retirement records, social security records, workman's compensation insurance records, leave records, salary and expense cost records; (3) Travel Expense and Mileage Report; (4) Animal Damage Control Records—hunter and trapper (district field assistant) records on animals taken weekly, itinerary and report of activity of trappers and hunters.

Authority for maintenance of the system:

7 U.S.C. 426–426(b); 7 U.S.C. 136–136w; 16 U.S.C. 703–711; and Section 101, Pub. L. No. 99–190.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The primary uses of the records are to (a) serve as a tool for the State supervisors in the financial and manpower management of Animal Damage Control programs (b) form the legal basis for the disbursement of funds and (c) form the basis for preparation of statistical reports. Disclosures outside the Department of Agriculture may be made: (1) For administrative uses by cooperating Federal, State, county, and local government units, and cooperating private organizations and associations; (2) to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (3) in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (4) of information indicating a violation or potential violation of a statute, regulation rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (5) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (6) to other Federal agencies to effect salary and administrative offsets; and (7) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are manually retrieved by employee name.

Safeguards:

Records and forms are maintained in a standard office filing cabinet and office is locked when authorized personnel are not present.

Retention and disposal:

Non-record administrative material disposed 30 days after employment terminates or in compliance with State regulations on disposal of payroll records subject to audit.

System manager(s) and address:

Deputy Administrator, Animal Damage Control, USDA/APHIS, 14th & Independence Avenue, SW, Washington, DC 20250.

Notification procedure:

All inquiries should be addressed to:

APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Record source categories:

Material is obtained from documents submitted by the individuals and from records completed by Federal employees or contractual personnel.

USDA/APHIS—8

System name:

Veterinary Services—Animal Welfare, USDA/APHIS.

System location:

Veterinary Services Program, USDA/APHIS, Room 754 Federal Building, Hyattsville, MD 20782, and the Area Offices.

Categories of individuals covered by the system:

Dealers, exhibitors, and other individuals required to be licensed under the Federal Laboratory Act of 1966, as amended. Operators of research facilities, intermediate handlers, carriers, and other individuals required to be registered under the Federal Laboratory Animal Welfare Act of 1966, as amended.

Categories of records in the system:

The general files contain the name and address of the licensee or registrant and the registration or licensing number. The records maintained in the files include the application for license or annual report, application for registration, annual report of research facility, program of veterinary care, inspection of carriers/intermediate handler, inspection of animal facilities, and request for approval of holding facility.

Authority for maintenance of the system:

7 U.S.C. 2131 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Records maintained under the proviso of this authority form an integral support network essential for the implementation and enforcement of the Animal Welfare Act, including licensing and registration of individuals, businesses, and research facilities, compliance with regulations and standards applicable under the Act, and annual reporting requirements of summary data as required by law. (2) Referral to the appropriate agency whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (3) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in

his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (4) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, of any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (5) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders in locked metal file cabinets.

Retrievability:

Records are retrieved by the name of the licensee or registrant or by the license or registration number.

Safeguards:

Records are maintained in locked files with APHIS employees in attendance during working hours.

Retention and disposal:

Licensees applications are destroyed 3 years after cancellation. Registrants applications are maintained permanently. Routine records are destroyed after 3 years.

System manager(s) and address:

Deputy Administrator, Veterinary Services, USDA/APHIS, 14th & Independence Avenue, SW, Washington, DC 20250.

Notification procedure:

All inquiries should be addressed to: APHIS Privacy Act Coordinator, Office of the Administrator, USDA/APHIS, Room 732 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Record access procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Contesting record procedures:

All inquiries should be addressed to the APHIS Privacy Act Coordinator.

Record source categories:

Material is obtained from documents submitted by the registrant or licensee and from records completed by Federal employees.

USDA/ARS-1

System name:

Solicitation of Bids or Proposals for Procurement Contracts, USDA/ARS.

System location:

Records are maintained at the following locations:

Office of the Director, USDA-ARS-Contracting and Assistance
Division, NAL Building, 4th Floor, 10301 Baltimore
Boulevard, Beltsville, Maryland 20705.

Office of the Director, USDA-ARS-Facilities Construction
Management Division, Federal Building, Room 522, 6505
Belcrest Road, Hyattsville, Maryland 20782.

Area Administrative Officer, USDA-ARS-Beltsville Area,
Building 003, BARC-West, Room 209, Beltsville, Maryland
20705.

Area Administrative Officer, USDA-ARS-Mid South Area,
P.O. Box 225, Stoneville Road, Stoneville, Mississippi 38776.

Area Administrative Officer, USDA-ARS-Midwest Area, 1815
North University Street, Peoria, Illinois 61604.

Area Administrative Officer, USDA-ARS-North Atlantic Area,
600 East Mermaid Lane, Philadelphia, Pennsylvania 19118.

Area Administrative Officer, USDA-ARS-Northern Plains
Area, 2625 Redwing Road, Suite 350, For Collins, Colorado
80526.

Area Administrative Officer, USDA-ARS-Pacific West Area,
800 Buchanan Street, Albany, California 94710.

Area Administrative Officer, USDA-ARS-South Atlantic Area,
P.O. Box 5677, College Station Road, Athens Georgia 30613.

Area Administrative Officer, USDA-ARS-Southern Plains Area,
1812 Welsh Street, Suite 130, College Station, Texas 77840.

Categories of individuals covered by the system:

Individuals who submit bids or proposals to furnish supplies or perform services under contract with ARS.

Categories of records in the system:

The system consists of files of all bids or offers received and awards made in regard to solicitations issued by ARS, including copies of actual bids or offers and modifications thereto, and reports or statements by bidders or offerors about their financial and professional or technical capabilities with respect to furnishing the supplies or rendering the services described in the solicitation.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

This information is used by the contract specialists in the day-today administration of the contracts; in deciding courses of action in the event of contractor default; and in handling congressional inquiries and protests made by other competing bidders or offerors.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be disclosed: (1) To the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (2) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (3) in response to a request for discovery or appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (4) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by solicitation number, contract number, and name of contractor.

Safeguards:

Records are kept in locked file cabinets and offices when not in the custody of procurement officers or their subordinates.

Retention and disposal:

Records are maintained until 6 years after contract termination or final contract payment is made.

System manager(s) and address:

Office of the Director, Contracting and Assistance Division, USDA-ARS, NAL Building, 4th Floor, 10301 Baltimore Boulevard, Beltsville, Maryland 20705; Office of the Director, Facilities Construction Management Division, USDA-ARS, Federal Building, Room 522, 6505 Belcrest Road, Hyattsville, Maryland 20782; or the Area Administrative Officers at the addresses given herein.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager.

Record access procedures: Any individual may gain access to a record in the system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures: Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

14Information in this system comes from the business firm or individual concerned or the Small Business Administration in the case of small business set-aside procurements, and previous ARS records of procurement contracts in which the business firm or individual was the principal party to the contract.

USDA/ARS-2

System name: Research Medical Records System on Patients and Human Volunteers Participating in Research at the ARS Human Nutrition Research Centers in Grand Forks, Beltsville, and San Francisco, USDA/ARS.

System location: USDA, ARS, Grand Forks Human Nutrition Research Center, Northern Plains Area, 2420 Second Avenue North, Grand Forks, North Dakota 58201; USDA, ARS, Beltsville Human Nutrition Research Center, Building 308, Room 223, Beltsville Agricultural Research Center, Beltsville, Maryland 20705; and USDA, ARS, Western Human Nutrition Research Center, P.O. Box 29997, (Building 1110), Presidio of San Francisco, California 94129.

Categories of individuals covered by the system: Individuals participating in human research carried out by the staffs of the Laboratories of the Human Nutrition Research Centers.

Categories of records in the system: Medical and nutritional histories, medical and nutritional examinations, diagnostic and treatment data, social and economic data, clinical laboratory data, statistical summaries, and correspondence.

Authority for maintenance of the system: U.S.C. 2201, 7 U.S.C. 427, and 7 U.S.C. 3101 et seq.

Purpose(s):

To analyze research findings and to prepare a report of the findings (the identification of individuals who participate in the research is not revealed in the report of research findings).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system may be disclosed: (1) To the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (2) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (3) in response to a request for discovery or appearance, of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (4) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in file folders or maintained on magnetic tapes, diskettes, or microfilm.

Retrievability: Records are indexed by the name of the volunteer and a number assigned to the volunteer.

Safeguards: Records are kept in locked file cabinets and offices.

Retention and disposal: Clinical records are maintained for a period of 7 years. Scientific records are discarded at the discretion of the principal investigator or research leader.

System manager(s) and address: USDA, ARS, Grand Forks Human Nutrition Research Center, Northern Plains Area, 2420 Second Avenue, North, Grand Forks, North Dakota 58201; USDA, ARS, Beltsville Human Nutrition Research Center, Building 308, Room 223, Beltsville Agricultural Research Center, Beltsville, Maryland 20705; and USDA, ARS, Western Human Nutrition Research Center, P.O. Box 29997, (Building 1110), Presidio of San Francisco, California 94129.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the sytem contains records pertaining to him from the System Manager.

Record access procedures: Any individual may gain access to a record in the system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures: Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

Record source categories: Information in this system comes primarily from the volunteer, health care personnel, other hospitals and physicians, employers, and social agencies.

USDA/ARS-3

System name:

Dosimetry Report on Individuals in USDA Required by Radiological Safety Committee to Wear Radiation Exposure Measuring Badges when Appropriate, USDA/ARS.

System location:

Radiological Safety Staff, ARS, USDA, 6505 Belcrest Road, Room 463, Federal Building, Hyattsville, Maryland 20782.

Categories of individuals covered by the system:

All individuals who use radioactive material and/or radiation equipment which emit strong beta particles, neutrons, gamma rays, or X-rays.

Categories of records in the system:

The system indicates individual's name, date of birth, and social security number; issue date; monthly beta, gamma, neutron, and X-ray dosages; classification of dosages as deep or shallow; and cumulative totals for the calendar quarter, calendar year, and lifetime.

Authority for maintenance of the system:

42 U.S.C. 2111 and 42 U.S.C. 2201(b).

Purpose(s):

The system permits the maintenance of a monthly and cumulative record of each badge wearer's radiation exposure.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be disclosed: (1) To the Nuclear Regulatory Commission for review, compliance, and investigation purposes; (2) to a doctor, hospital, or other competent medical authority in event of a medical emergency involving radiation exposure; (3) to the Department of Labor, Veterans Administration, Social Security Administration, U.S. Civil Service Commission, Department of Defense, Federal agencies which may have special civilian employee retirement programs, national, State, county, municipal, or other publicly recognized chartiable or social security administration agency to adjudicate a claim for benefits under the Bureau of Retirement, Insurance, and Occupational Health or the recipient's benefit program(s), or to conduct an analytical study of benefits being paid under such programs; (4) to health insurance carriers or plans participating in Federal Employees' Health Benefits Program in support of a claim for health insurance benefits involving radiation exposure; (5) to Federal Employees' Group Life Insurance Program in support of a claim for life insurance benefits involving radiation exposure; (6) to an organization to which the individual is transferred, upon written request of that organization; (7) to the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (8) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (9) in response to a request for discovery or appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (10) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Current system is maintained in file drawers in Radiological Safety Staff office. Past reports maintained in Federal Records Center (FRC). Microfilms of past reports maintained in FRC and in file cabinet in Radiological Safety Staff office. Index to the system is maintained on a computer system controlled by the Radiological Safety Staff.

Retrievability:

Records are indexed and accessed by social security number or selected by the individual's name, agency, or location.

Safeguards:

Access is limited to authorized Radiological Staff and contractor employees by control of access to the computers and passwords. Records are kept in locked file cabinets and offices.

Retention and disposal:

U.S. Nuclear Regulatory Commission requires retention of records until such time as the Commission authorizes their disposition.

System manager(s) and address:

Radiological Safety Officer, Radiological Safety Staff, ARS, USDA, 6505 Belcrest Road, Room 463, Federal Building, Hyattsville, Maryland 20782.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager.

Record access procedures:

Any individual may gain access to a record in a system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

Record source categories:

Personal information about each individual is provided by the individual. Dosimetry information is provided by a commercial supplier of personal dosimeters under contract with USDA who routinely receives, processes, and evaluates the dosimeters and furnishes the System Manager with the appropriate information.

USDA/ARS-4

System name:

Education and Radiation Training and Experience Reports on Persons in USDA Using Radioactive Materials and/or Equipment which Emit Ionizing Radiation, USDA/ARS.

System location:

Radiological Safety Staff, ARS, USDA, 6505 Belcrest Road, Room 463, Federal Building, Hyattsville, Maryland 20782.

Categories of individuals covered by the system:

All persons in USDA who are responsible for, or independent users of, radioactive materials and/or equipment which emit ionizing radiation.

Categories of records in the system:

The system consists of information on a person's educational background including formal courses and on-the-job training in radiation; experience in actual use of radioactive materials and/or equipment which emit ionizing radiation; experience in the use of radiation detection and measuring instrumentation; and additional information such as pertinent publications, speeches, etc., which will assist in the evaluation of a person's qualifications to safely use radioactive materials and/or equipment which emit ionizing radiation to protect his health and to minimize danger to life or property.

Authority for maintenance of the system:

42 U.S.C. 2111 and 42 U.S.C. 2201(b).

Purpose(s):

The system is used by the Department's Radiological Safety Committee and Radiological Safety Staff in its determination to approve or deny a person's procurement and use of potentially hazardous radioactive materials and/or equipment which emit ionizing radiation. When applicable, the system supplies information for maintenance of required radiation exposure records on persons who are required to wear personnel monitoring devices while using radioactive materials and/or equipment which emit ionizing radiation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be disclosed: (1) To the Nuclear Regulatory Commission for review, compliance, and investigation purposes; (2) to the Department of Labor, Veterans Administration, Social Security Administration, U.S. Civil Service Commission, Department of Defense, Federal agencies which may have special civilian employee retirement programs, national, State, county, municipal, or other publicly recognized charitable or social security administration agency to adjudicate a claim for benefits under the Bureau of Retirement, Insurance, and Occupational Health or the recipient's benefit program(s) or to conduct an analytical study of benefits being paid under such programs; (3) to health insurance carriers or plans participating in Federal Employees' Health Benefits Program in support of a claim for health insurance benefits involving radiation exposure; (4) to Federal Employees' Group Life Insurance Program in support of a claim for life insurance benefits involving radiation exposure; (5) disclosed to an organization to which the individual in transferred, upon written request of that organization; (6) to the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (7) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (8) in response to a request for discovery or appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (10) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders or maintained on computer disks, computer printouts, microfilm, and microfiche. Information will be transmitted and stored on USDA and contractor computers.

Retrievability:

Records are indexed and accessed by individual's name assigned code number, city, and State.

Safeguards:

Access is limited to authorized Radiological Safety Staff and contractor employees by control of access to the computers and passwords. Records are kept in locked file cabinets and offices.

Retention and disposal:

U.S. Nuclear Regulatory Commission requires retention of records until such time as the Commission authorizes their disposal.

System manager(s) and address:

Radiological Safety Staff, ARS, USDA, 6505 Belcrest Road, Room 463, Federal Building, Hyattsville, Maryland 20782.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager.

Record access procedures:

Any individual gain access to a record in the system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

Record source categories:

Personal information about each individual is provided by the individual. Dosimetry information is provided by a commercial supplier of personal dosimeters under contract with USDA who routinely receives, processes, and evaluates the dosimeters and furnishes the System Manager with the appropriate information.

USDA/ARS-5

System name: ARS Health and Fitness Center, USDA/ARS.

System location: ARS Health and Fitness Center, ARS, USDA, Building 010, BARC-West, Beltsville, Maryland 20705.

Categories of individuals covered by the system: USDA employees and their families that are members of the ARS Health and Fitness Center.

Categories of records in the system: The system contains the member's name, date of birth, office and home address, medical history, general health information, and physicians name and phone number.

Authority for maintenance of the system: 5 U.S.C. 301.

Purpose(s):

The information is made available to the staff at the ARS Health and Fitness Center to monitor the health and physical fitness of the members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system may be disclosed: (1) To the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (2) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (3) in response to a request for discovery or appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (4) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file cabinets.

Retrievability: Records are indexed alphabetically by name of the member.

Safeguards: The records are kept in a locked office.

Retention and disposal: Records are maintained until the member cancels his/her membership.

System manager(s) and address: ARS Health and Fitness Center Manager, ARS, USDA, Building 010, BARC-West, Beltsville, Maryland 20705.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager.

Record access procedures: Any individual may gain access to a record in the system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures: Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

Record source categories: Information in this system comes directly from the individual.

USDA/CSRS-1

System name:

Current Research Information System (CRIS), USDA/CSRS.

System location:

CSRS, National Agricultural Library Building, 5th Floor, 10301 Baltimore Boulevard, Beltsville, Maryland 20705.

Categories of individuals covered by the system:

Scientists listed on research projects entered into the CRIS.

Categories of records in the system:

Research projects of USDA agencies and research projects of those State institutions receiving CSRS administered funds in support of research.

Authority for maintenance of the system:

5 U.S.C. 301; 7 CFR 2.7 and 2.58.

Purpose(s):

This information is made available for the documentation and reporting of research activities conducted by USDA agencies and by State institutions receiving CSRS administered funds for research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be disclosed: (1) To subscribers of the Dialog Commercial Database Network; (2) to contractors for preparation in a form that can be entered into the computer; (3) to the National Technical Information System; (4) to research scientists and Administrators of all Governmental agencies and affiliated institutions in connection with information retrieval requests in special subject areas; (5) to the Department of Justice when relevant and useful for the defense of suits against the United States or its officers or for the institution of suits for the recovery of claims by the USDA; (6) to an appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law or rule, regulation, or oder issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to such statute; (7) in response to a request for discovery or appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or criminal proceeding or in response to a subpoena issued in a proceeding before a court or adjudicative body, to the extent that the records requested are relevant to the proceedings; and (8) to a congressional office in response to an inquiry from a congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer tapes at the USDA National Computer Center, Kansas City.

Retrievability:

Records can be retrieved by name of project leader or co-investigator.

Safeguards:

Access to this system is limited to USDA employees and subscribers of the Dialog Commercial Database Network. The computer files and tapes will be kept in a safeguarded environment with access only by authorized personnel.

Retention and disposal:

Financial and classification records are maintained indefinitely. Project information is maintained for 2 years following termination of the project.

System manager(s) and address:

Director, CRIS, National Agricultural Library Building, 5th Floor, 10301 Baltimore Boulevard, Beltsville, Maryland 20705.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager.

Record access procedures:

Any individual may gain access to a record in the system that pertains to him by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may contest a record in the system that pertains to him by submitting pertinent written information to the System Manager.

Record source categories:

Information in this system comes from USDA research agencies and State institutions receiving CSRS administered funds for research.

USDA/ES-1

System name:

International Extension Applicant Roster, USDA/ES.

System location:

Extension Service, International Programs, USDA, Room 332-A, Administration Building, 14th & Independence Avenue, SW, Washington, DC 20250.

Categories of individuals covered by the system:

Cooperative extension service and Extension Service personnel interested in overseas assignments.

Categories of records in the system:

(1) Personal data identifying the individual such as name, address, university, social security number and telephone number. (2) Summary background information categorized under headings such as subject matter experience, commodity experience, functional experience, clientele experience, ecosystems experience, production systems experience, scope of experience, international experience, education and language proficiency. (3) Preferred length of assignment (short-, mid- or long-term). (4) Personal resume or SF-171.

Authority for maintenance of the system:

Sections 296 and 297 of the Foreign Assistance Act of 1961, Pub. L. No. 87-195, 75 Stat. 424, as added by Section 312 of the International Development and Food Assistance Act of 1975, Pub. L. 94-161, 89 Stat. 849; and Section 1458 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, 7 U.S.C. 301 et seq., as amended by Section 1436 of the Agriculture and Food Act of 1981, Pub. L. No. 97-98, 95 Stat. 1213.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Extension Service staff will have access to all records within the system for the purpose of identifying qualified candidates for overseas assignments. (2) Information may be referred to international organizations seeking cooperative extension service and Extension Service personnel for placement in overseas projects and assignments. (3) Referral may be made to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

International Extension Applicant Roster records are stored on disk files and in file folders.

Retrievability:

Records can be accessed on the computer by individual name, social security number, university affiliation, preferred length of duty or keywords and phrases under any of the experience categories. Resumes and SF-171 forms will be filed by name in alphabetical order in file folders.

Safeguards:

On-line access to International Extension Applicant Roster data is controlled by password protection. Information stored in file folders will be stored in locked file cabinets.

Retention and disposal:

Applicant information will remain on the system for a period of one year. At the end of each year the applicant will have the option to remain on the system for the following year, and make any needed changes in his/her file, or be dropped from the roster. At anytime during the year, the applicant may request that his/her files be removed from the system. Data for disposal is deleted from the computer memory.

System manager(s) and address:

International Program Specialist, International Programs, Extension Service, U.S. Department of Agriculture, Room 332-A, Administration Building, 14th & Independence Avenue, SW, Washington, DC 20250.

Notification procedure:

An individual may request information as to whether the system contains records pertaining to him or her from the International Program Specialist, International Programs, Extension Service, U.S. Department of Agriculture, Room 332-A, Administration Building, 14th & Independence Avenue, SW, Washington, DC 20250. A request for information regarding an individual should include the individual's full name and address. Before any information about an individual is released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

An individual who wishes to request access to records in the system relating to that individual should submit a written request to the System Manager.

Contesting record procedures:

Same as notification procedure. (The regulations for contesting contents of records and appealing initial determinations are set forth at 7 CFR 1.110-1.123.)

Record source categories:

Records in this system come from documents submitted by the individual directly or through a cooperative extension service to the Extension Service, USDA, for the purpose of inclusion in the International Extension Applicant Roster.

USDA ES-2

System name:

Cooperative Extension Personnel Records System, USDA.

System location:

Personnel Staff, Extension Service, Room 3547 South Building, 14th & Independence Ave., SW, Washington, D.C. 20250.

Categories of individuals covered by the system:

All employees of State Extension Services who hold an Excepted Federal Appointment without compensation.

Categories of records in the system:

Microfiche copies of personnel actions taken by individual states under delegated personnel authority to support entitlement of employees to the benefit areas of retirement, life and health insurance, workman's and unemployment compensation.

Authority for maintenance of the system:

5 U.S.C. 301; 7 U.S.C. 341, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Office of Personnel Management and Department of Labor are supplied supporting documentation for benefit claims of employees and Cooperative Extension Service Personnel Offices are supplied specific assistance upon request. Disclosure may be made to a congressional office from the records of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on microfiche at the address listed.

Retrievability:

Records are indexed by name of employee.

Safeguards:

In authorized locked cabinet.

Retention and disposal:

Records are disposed of in accordance with General Services Administration retirement and/or destruction schedules.

System manager(s) and address:

Director, Personnel Staff, ES, Room 3547 South Building, U.S. Department of Agriculture, Washington, DC 20250.

Notification procedure:

Any individual may request information concerning himself from this system. A request for information should be addressed to the System Manager and should contain: Name, address and particular information requested.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the System which pertains to him by submitting a written request to the System Manager.

Contesting record procedures:

Use same procedures as for requesting access.

Record source categories:

Information in this System comes primarily from the employee with additional data provided by the employee's personnel office.

USDA ES-3

System name:

State Cooperative Extension Service Employees, USDA.

System location:

Reports and Analysis Branch, Management Operations Staff, Extension Service, USDA, Room 3547 South Building, 14th & Independence Ave., SW., Washington, DC 20250.

Categories of individuals covered by the system:

All professional employees of the State Cooperative Extension Services from 1968 to present.

Categories of records in the system:

Magnetic tapes are made from punch cards on information from the personnel records taken and submitted by State Cooperative Extension Services.

Authority for maintenance of the system:

5 U.S.C. 301; 7 U.S.C. 341, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tape at the address listed.

Retrievability:

Records are entered by social security number or other unique State identifying number.

Safeguards:

Authorization must be obtained from the Administrator, ES, USDA or Director of Personnel, ES, USDA, before information is released. All printed matter is kept in locked rooms.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Director, Personnel and Management Services Division, Room 3547 South Building, Washington, DC 20250.

Notification procedure:

Any individual may request information concerning himself from this system. A request for information should be addressed to the System Manager, and should contain: Name, address, social security number, and the particular information requested.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the System which pertains to him by submitting a written request to the System Manager.

Contesting record procedures:

Use same procedures as for requesting access.

Record source categories:

Information in this System comes primarily from the employee with additional data provided by the employee's personnel office.

USDA/ESS—1

System name: Administrative Records System, USDA/ESS

System location: Statistical Offices at the following locations:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Washington, DC
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafayette, IN
Des Moines, IA
Topeka, KS
Louisville, KY
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma, City, OK
Portland, OR
Harrisburg, PA
Columbia, SC
Sioux Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Seattle, WA
Charleston, WV
Madison, WI
Cheyenne, WY

Addresses of each Statistical Office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Economics and Statistics Service, or Crop and Livestock Reporting Service."

Categories of individuals covered by the system: All Federal and State employees who work in ESS offices.

Categories of records in the system: The system consists of employee's name, home address, telephone number, salary rate, accumulated salary for year, accumulated hours worked, and accumulated travel expenses, which includes per diem, mileage, and total miles travelled.

Authority for maintenance of the system: 5 U.S.C. 301 and 7 U.S.C. 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system of records for State Department of Agriculture employees is made available to the Head of the State Department of Agriculture or his designee. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents (CEF-201's and bi-weekly Time and Attendance reports) are retained in the State Statistical Offices specified above.

Machine readable data are maintained on the INFONET network with each office only able to access its own files.

Retrievability: The master employee data base is indexed by employee number assigned by each office.

Safeguards: Source documents are kept in file cabinets in the offices listed above.

Retention and disposal: The two data bases in this system are handled in the following manner:

1. Bi-weekly Data Base—After initial usage, stored on tape and retained for one year.
2. Master Employee Data Base—Inactive employee records are deleted at the end of each fiscal year.

A copy of this file will be retained for five years.

System manager(s) and address: The Assistant Deputy Administrator for Statistics Washington, D.C. or the Statistician in Charge for each State Statistical Office is responsible for employee's records, at the address specified above.

Notification procedure: Any employee working in an ESS Statistical Office since 1975 may request information regarding this system of records, or information stating whether the system contains records pertaining to him from the System Manager at the appropriate Statistical Office. A written request for information pertaining to an individual's records should contain name, address, and most recent dates of employment with USDA/ESS.

Record access procedures: Anyone actively employed by USDA/ESS—Statistics during the past five years may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification procedure."

Contesting record procedures: Anyone actively employed by USDA/ESS—Statistics during the past five years may obtain information as to the procedures for contesting a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification procedure."

Record source categories: Information in this system comes from enumerator time and mileage forms (CEF-201), time and attendance forms from all other employees, and employment forms (SF-171 and NASDA-171).

USDA/ESS—2

System name: June Acreage and Livestock Enumerative Survey, USDA/ESS

System location: Survey questionnaires are located in State Statistical Offices at the following locations:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafayette, IN
Des Moines, IA
Topeka, KS
Louisville, KY
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma, City, OK
Portland, OR
Harrisburg, PA
Columbia, SC
Sioux Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Seattle, WA
Charleston, WV
Madison, WI
Cheyenne, WY

Addresses of each Statistical Office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Economics and Statistics Service, or Crop and Livestock Reporting Service."

Magnetic tapes are located on the INFONET network, Chicago Center, Chicago, Illinois.

Categories of individuals covered by the system: Farmers and ranchers residing in selected small land areas. Also included are non-farm residents living rent free in houses on farms in these same selected small land areas.

Categories of individuals covered by the system: Questionnaires and magnetic tapes containing information on farm population in those households described above.

Authority for maintenance of the system: 7 U.S.C. 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires are packed in boxes and stored in State Statistical Offices at the following locations:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafayette, IN
Des Moines, IA
Topeka, KS
Louisville, KY
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma, City, OK
Portland, OR
Harrisburg, PA
Columbia, SC
Sious Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Seattle, WA
Charleston, WV
Madison, WI
Cheyenne, WY

Magnetic tapes stored in tape library of the INFONET network, Chicago, Center, Chicago, Illinois.

Retrievability: Questionnaires are stored in boxes which are identified by location of selected small land areas. Magnetic tapes are indexed by a number assigned to selected small land areas.

Safeguards: Questionnaires are kept in locked storage rooms. Magnetic tapes are stored in an area to which access is limited to authorized personnel of the INFONET network.

Retention and disposal: Questionnaires are kept for a minimum of 30 days after the primary survey is summarized. Magentic tapes are retained for 14 months on the INFONET network and then destroyed after satisfactory completion of survey data summary.

System manager(s) and address: Chairman, Crop Reporting Board, ESS, USDA, Washington, D.C. 20250, or the appropriate Statistician in Charge, State Statistical Office at the address specified above.

Notification procedure: Any individual may request information as to whether the system contains records pertaining to him from the Chairman, Crop Reporting Board, Statistical Reporting Service, USDA, Washington, D.C. telephone 202-447-4415, or the appropriate Statistician in Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Chairman, Crop Reporting Board, who, if necessary, will refer it to the appropriate State Statistical Office. A request for information pertaining to an individual should contain name, address, and date (year) that questionnaire was completed.

Record access procedures: Any individual who was interviewed in the survey may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification procedure."

Contesting record procedures: Any individual who was interviewed in the survey may obtain information as to the procedure for contesting a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification procedure."

Record source categories: Information in this system comes solely from farmers and ranchers who were interviewed in this survey, or from non-farm residents who are located in selected small land areas.

USDA/ESS—3

System name: Personnel Data Base, USDA/ESS

System location: Computer Records—INFONET network, Chicago Center, Chicago, Illinois. Inputs-coding sheets and punch cards in file cabinet in Room 5868 South Building, Statistical Reporting Service, USDA, Washington, D.C. 20250. Outputs-listings distributed to and retained by each applicable Administrative Officer, Division Director, Assistant Deputy Administrator, Division of Personnel, ESS, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: ESS employees in the following position classification series: 334, 1529, and 1530.

Categories of records in the system: The system consists of information pertaining to Statistical Reporting Service employee's name; job series; grade; age; service computation date; date began in Statistical Reporting Service; work experience; training; and awards.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents are maintained in offices of officials identified previously. Machine readable data are maintained on the INFONET network, Chicago Center, Chicago, Illinois.

Retrievability: Records are indexed by Social Security Number.

Safeguards: Source documents are kept in locking file cabinet in office of Administrative Officer, ESS Statistics Program, USDA, Washington, D.C.

Retention and disposal: A review is made each quarter. Records which are no longer needed are destroyed.

System manager(s) and address: Administrative Officer, ESS Statistics Program. USDA, Washington, D.C. 20250.

Notification procedure: Any employee may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Administrative Officer, Statistical Reporting Service, USDA, Washington, D.C., telephone 202-447-6546.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the Administrative Officer referred to in paragraph entitled "Notification procedure."

Contesting record procedures: Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him by submitting a written request to the Administrative Officer referred to in the paragraph entitled "Notification procedure."

Record source categories: Information in this system comes primarily from form SF-52, Request for Personnel Action; form AD-281, Request and Authorization for Outside Training; and form AD-287-2, Approval and Certification of Cash Award.

USDA/ESS—4

System name: Quarterly Agricultural Labor Survey, USDA/ESS.

System location: Survey questionnaires are located in State Statistical Offices at the following locations:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafayette, IN
Des Moines, IA
Topeka, KS
Louisville, Ky
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma City, OK
Portland, OR
Harrisburg, PA
Columbia, SC
Sioux Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Seattle, WA
Charleston, WV
Madison, WI
Cheyenne, WY

Addresses of each State Statistical Office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Economics and Statistics Service, or Crop and Livestock Reporting Service."

Magnetic tapes are located on the INFONET network, Chicago Center, Chicago, Illinois.

Categories of individuals covered by the system: Farmers and ranchers who report the following information on the Quarterly Agricultural Labor Survey: (1) Number of hours worked in the survey week by the operator, (2) number of unpaid family workers working more than 15 hours in the survey week, (3) number of paid family workers working in the survey week, (4) hours worked by unpaid family workers, and (5) wages paid to paid family workers.

Categories of records in the system: Questionnaires, punch cards and magnetic tapes containing information as listed under "Category of Individuals" reported by farmers and ranchers who are interviewed in the survey.

Authority for maintenance of the system: 7 U.S.C. 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires are packed in boxes and stored in State Statistical Offices at the following locations:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafayette, IN
Des Moines, IA
Topeka, KS
Louisville, KY
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma City, OK
Portland, OR
Harrisburg, PA

Columbia, SC
Sioux Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Seattle, WA
Charleston, WV
Madison, WI
Cheyenne, WY

Magnetic tapes stored in tape library on the INFONET network, Chicago Center, Chicago, Illinois.

Retrievability: Questionnaires are stored in boxes which are identified by Reporter Identification number. Punch cards and magnetic tapes are indexed by Reporter Identification number.

Safeguards: Questionnaires are kept in locked storage rooms. Punch cards are kept in file drawers. Magnetic tapes are stored in an area to which access is limited to authorized personnel of the INFONET network.

Retention and disposal: Questionnaires are kept a minimum of 30 days after primary data is summarized. Magnetic tapes are retained for 5 years on the INFONET network and then destroyed after satisfactory completion of survey data summary.

System manager(s) and address: Chairman, Crop Reporting Board, ESS, USDA, Washington, D.C. 20250, or the appropriate Statistician in Charge, State Statistical Office at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Chairman, Crop Reporting Board, ESS, USDA, Washington, D.C. telephone 202-447-4415, or the appropriate Statistician in Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Chairman, Crop Reporting Board, who, if necessary, will refer it to the appropriate State Statistical Office. A request for information pertaining to an individual should contain, name, address, and date (month and year) that questionnaire was completed.

Record access procedures: Any farmer who was interviewed in the survey may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification procedure."

Contesting record procedures: Any farmer or rancher who was interviewed in the survey may obtain information as to the procedures for contesting a record in the system which pertains to him by submitting a written request to the appropriate offical referred to in the paragraph entitled "Notification procedure."

Record source categories: Information in this system comes solely from farmers and ranchers who were interviewed in this survey.

USDA/ESS—5

System name: State Farm Census, USDA/ESS.

System location: Illinois Crop and Livestock Reporting Service, ESS/USDA, 202 U.S. Post Office and Court House Building, Springfield, IL 62705.

Categories of individuals covered by the system: Farmers who report number of persons living in farm household to county assessors or other enumerators.

Categories of records in the system: Reporting forms and magnetic tapes containing data on number of persons living in farm households.

Authority for maintenance of the system: 7 U.S.C. 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Supplied to Illinois State government.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Reporting forms are maintained in files in the office of the Illinois Crop Livestock Reporting Service, and magnetic tapes are maintained in the Computer Center, Management Information Division, State of Illinois, Springfield, IL.

Retrievability: Records are indexed by a unique identification number assigned by the Illinois Crop and Livestock Reporting Service.

Safeguards: Records are kept in a room locked after working hours.

Retention and disposal: Reporting forms are retained for 2 years in the Illinois Crop and Livestock Reporting Service office and then sent to the State Archives where they are retained indefinitely.

System manager(s) and address: Statistician in charge, Illinois Crop and Livestock Reporting Service, ESS/USDA, 202 U.S. Post Office & Court House Building, Springfield, Illinois 62705.

Notification procedure: Any farmer in Illinois may request information regarding this system of records. He can determine whether the system contains records relating to him from the Statistician in Charge at the address listed above. A request for information pertaining to an individual should contain name, address and year of the report.

Record access procedures: Any farmer may obtain information as to the procedure for gaining access to a record in the system which pertains to him by submitting a written request to the Statistician in Charge referred to in the paragraph entitled "Notification procedure."

Contesting record procedures: Any farmer may obtain information as to the procedure for contesting a record in the system which pertains to him by submitting a written request to the Statistician in Charge referred to in the paragraph entitled "Notification procedure."

Record source categories: Information in this system comes primarily from farmers.

USDA/ESS-6

System name: Farm Production Expenditure Survey, Family Living Expense Sections(s), USDA/ESS.

System location: Survey Questionnaires and raw data in machine readable media are located in State Statistical Offices at the Following locations:

Montgomery, AL
Phoneix, AZ
Little Rock, AR
Sacramento, CA
Denver, CO
Washington, DC
Orlando, FL
Athens, GA
Boise, ID
Springfield, IL
West Lafeyette, IN
Des Moines, IA
Topeka, KS
Louisville, KY
Alexandria, LA
College Park, MD
Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Helena, MT
Lincoln, NE
Reno, NV
Concord, NH
Trenton, NJ
Las Cruces, NM
Albany, NY
Raleigh, NC
Fargo, ND
Columbus, OH
Oklahoma City, OK
Portland, OR
Harrisburg, PA
Columbia, SC
Sioux Falls, SD
Nashville, TN
Austin, TX
Salt Lake City, UT
Richmond, VA
Charleston, WV
Madison, WI
Cheyenne, WY

Addresses of each State Statistical Office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Economics and Statistics Service" or "Crop and Livestock Reporting Service."

Magnetic tapes and list frame codes that identify individuals are located in the Martin Marietta Data System (MMDS) file, Orlando, Florida.

Categories of individuals covered by the system: A sample of farmers and ranchers residing in continental United States.

Categories of records in the system: Questionnaires and machine readable media containing information as listed under the "Category of Individuals" reported by farmers and ranchers who are interviewed in the survey and who voluntarily report family living expenditures on the Farm Production Expenditure Survey for: (1) Food and househld supplies; (2) housing-rent, mortgage payments, maintenance on appliances and furnishings, repairs, utilities purchased; (3) non-farm auto transportation purchases, maintenance and operating expenses of motor vehicles, insurance, public transportation; (4) other family living expenses not reported above (clothing, health insurance, medical and dental care, education, personal insurance, hobbies, recreation, gifts and contributions and magazines); and (5) total expenditure for family living expenses.

Authority for maintenance of the system: 7 U.S.C. 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The family living expenses data is used to update the Index of Prices Paid by Farmers for Commodities and Services, Interest, Taxes and Farm Wage Rates to the current base weight period. Summary data as published do not identify specific data with individuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires packed in boxes and raw data machine readable media are stored in State Statistical Offices at the locations referred to in the paragraph entitled "Systems Locations."

Magnetic tapes and list frame codes that identify individuals are stored in the tape library on MMDS Network.

Retrievability: Questionnaires, machine readable media and magnetic tapes are indexed by reporter identification numbers and/or location of selected small land areas.

Safeguards: Questionnaires and raw data machine readable media are retained in locked storage rooms. Magnetic tapes are stored in an area to which access in limited to authorized personnel of MMDS.

Retention and disposal: Questionnaires are retained for a minimum of 30 days after primary data have been summarized. Machine readable raw data media is kept a munimum period of 14 months after satisfactory completion of the summary.

System manager(s) and address: Chairman, Crop Reporting Board, Economics and Statistics Service, Statistics, USDA, Washington, D.C. 20250, telephone (202–447–4415) or the appropriate Statistician in Charge, State Statistical Office at the address specified above.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to the individual from the Chairman, Crop Reporting Board, Economics and Statistics Service, USDA, Washington, D.C., telephone (202–447–4415) or the appropriate Statistician in Charge at the address listed above. If the specific location of the record is not known, the individual should address the request to the Chairman, Corp Reporting Board, who, if necessary, will refer it to the appropriate State Statistical Office. A request for information pertaining to an individual should contain name, address and date (month and year) that questionnaire was completed and name of survey.

Record access procedures: Any farmer or rancher who was inteviewed in the survey may obtain information as to the procedures for gaining access to a record in the system which pertains to the individuals by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification Procedure."

Contesting record procedures: Any farmer or rancher who was interviewed in the survey may obtain information as to the procedures for contesting a record in the system which pertains to the individual by submitting a written request to the appropriate official referred to in the paragraph entitled "Notification Procedure."

Record source categories: Information in this system comes solely from farmers and ranchers who were interviewed in this survey.

USDA/OBPE—1

System name: Committee Management Records System, USDA/OBPE

System location: USDA, Office of Budget, Planning and Evaluation, Management Division, Washington, D.C. 20250.

Categories of individuals covered by the system: All individuals who are public members of USDA advisory committees are included in this system of records.

Categories of records in the system: The system consists of membership listings by committee name, State, ethnic affiliation, and female members. Keypunch cards are the basis for some of the above listings.

Authority for maintenance of the system: 5 U.S.C. App. 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained as a means of responding to Congressional inquiries for names and numbers of citizens serving on committees from a particular State. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in notebooks and on keypunch cards.

Retrievability: Records are indexed by names of individuals and by committee name.

Safeguards: Records contain no sensitive information and are kept in regular office files.

Retention and disposal: Records are retained until committee membership is changed. Obsolete listings are sent to the USDA historian.

System manager(s) and address: Assistant Director, Management, Office of Budget, Planning and Evaluation, USDA, Washington, D.C. 20250, 202-447-6111.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him, from the System Manager. A request for information pertaining to an individual should contain the individual's name, address, and name of the committee on which he is serving.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to records in this system which pertain to him by submitting a written request to the System Manager.

Contesting record procedures: Any individaul may obtain information as to the procedures for contesting a record in the system which pertains to him by submitting a request to the System Manager.

Record source categories: Information in this system is collected by USDA agencies from published reference books (Who's Who, etc.), from organizations which make recommendations of possible members, and from the prospective members.

USDA/OEO—1

System name: Discrimination Complaints Under Title VI of the Civil Rights Act of 1964, USDA/OEO

System location: Office of Equal Opportunity, USDA, Compliance and Enforcement Division, Auditor's Building, Rm. 4123, Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who file complaints alleging discrimination are recipents of USDA benefit programs.

Categories of records in the system: The system consists of complete files (i.e., complaint, agency response to complaint related correspondence, inquiries and investigatory reports) on initial inquiries made by personnel OEO and the agency complained about. The file, where appropriate, may consist of investigatory reports conducted and compiled by the Office of Investigation.

Authority for maintenance of the system: 42 U.S.C. 2000d et. seq., 7 CFR Part 15, Secy's Memo 1662, Supp. 2 and Secy's Memo 1756.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To initiate corrective action or possible referral to the Department of Justice if voluntary compliance is not achieved. (2) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (3) Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of complainant, agency and address.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained for a period of 3 years, after which they are sent to the National Archives and Records Service, Washington, D.C. 20408.

System manager(s) and address: Richard J. Peer, Chief, Compliance and Enforcement Division, Office of Equal Opportunity, USDA, Auditor's Building, Rm. 4123, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records from the System Manager as set forth in the preceding paragraph.

Record access procedures: A request for access to a record from the system shall be in writing with the envelope and letter marked "Privacy Access Request." Access requests will be directed to the System Manager listed above.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Information in this system comes primarily from agency personnel, complainant, witnesses, participants and nonparticipants, investigative personnel and community leaders.

USDA/FmHA-1

System name:

Applicant/Borrower or Grantee File, USDA/FmHA.

System location:

Each applicant's/borrower's or grantee's file is located in the County, District, or State Office through which the financial assistance is sought or was obtained, and the Finance Office in St. Louis, Missouri. A District Office version of the County Office file may be located in or accessible by the District Office responsible for that County. A State Office version of the County or District Office file may be located in or be accessible by the State Office responsible for that County or District Office. Correspondence about borrowers is located in the National and State Office files.

A list of State offices and any additional States for which an office is responsible follows:

Montgomery, AL
Palmer, AK
Little Rock, AR
Phoenix, AZ
Woodland, CA
Denver, CO
Newark, DE-MD
Gainesville, FL
Athens, GA
Hilo, HI—Western Pacific Terr.
Boise, ID
Champaign, IL
Indianapolis, IN
Des Moines, IA
Topeka, KS
Alexandria, LA
Orono, ME
Amherst, MA-CT-RI
East Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Bozeman, MT
Lincoln, NE
Mt. Holly, NJ
Albuquerque, NM
Syracuse, NY
Raleigh, NC
Bismarck, ND
Columbus, OH
Stillwater, OK
Portland, OR
Harrisburg, PA
Hato Rey, PR
Columbia, SC
Huron, SD
Nashville, TN
Temple, TX
Salt Lake City, UT-NV
Montpelier, VT-NH-VI
Richmond, VA
Wenatchee, WA
Morgantown, WV
Stevens Point, WI
Casper, WY

The address of State, District and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration." The Office is located at 1520 Market Street, St. Louis, Missouri 63103.

Categories of individuals covered by the system:

Present and former FmHA applicants/borrowers and grantees including members of associations.

Categories of records in the system:

The system consists of files containing applicant's/borrower's or grantee's characteristics such as gross and net income, sources of income, capital, assets and liabilities, net worth, age, observed race, number of dependents, marital status, credit report, reference material, and operating plans. In addition, a running record of observation concerning the operations of the person being financed is included. A record of deposits in and withdrawals from a person's supervised bank account is also contained in those files where appropriate or, in some County Offices, maintained in a separate folder containing only information relating to activity within supervised bank accounts. Some items of information are extracted from the person's file and placed in a card file for quick reference.

Authority for maintenance of the system:

7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., 42 U.S.C. 2706.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute or a rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

Information not identified with any individual borrower(s) may provide the basis for statistical reports and news releases citing borrowers' progress.

Referral to employers, businesses, landlords, creditors and others to determine repayment ability and eligibility for FmHA programs. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Referral to a collection or servicing contractor, or a local, State, or Federal agency, when FmHA determines such referral is appropriate for servicing or collecting the borrower's account or as provided for in contracts with servicing or collection agencies.

Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery, to the extent that the information disclosed is relevant and necessary to the proceeding.

Referral of commercial credit information, which is filed in a system of records, to a commercial credit reporting agency for it to make the information publicly available.

Referral to financial consultants, advisors, or underwriters, when FmHA determines such referral is appropriate for developing packaging and marketing strategies involving the sale of FmHA loan assets required by the Omnibus Budget Reconciliation Act of 1986, Pub. L. 99-509.

Referral to private attorneys under contract either with FmHA or with the Department of Justice for the purpose of foreclosure and possession actions and collection of past due accounts in connection with FmHA loans.

Referral to the Department of Justice for the purpose of litigation arising under statutes administered by FmHA.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders at the State, District, County, and National Office. A limited subset of personal, financial, and characteristics data required for effective management of the programs and borrower repayment status is maintained on disc or magnetic tape at the Finance Office, accessible by each appropriate office.

Retrievability: Records are indexed by name, identification number and type of loan or grant. Data may be retrieved from paper records or magnetic tape. A limited subset of data is available through telecommunications capability ranging from telephones to intelligent terminals. The telecommunications capability is available to all FmHA offices.

Safeguards: Records afe kept in local offices at the State, District, County, and National Office. A limited subset of data is also maintained in a properly managed tape and disc library and an online retrieval system at the Finance Office. Access is restricted to authorized FmHA personnel. A system of operator and terminal passwords and code numbers is used to restrict access to the online system. These codewords and numbers are changed as necessary.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366—380) and in accordance with FmHA's disposal schedules. Disposal of records at the State, District, County, and National Office is accomplished through deposit in office waste containers. Records at ther Finance Office are disposed of by overprinting.

Applications which are rejected, withdrawn, or otherwise terminated are kept in the County, District or State Office one full fiscal year after the fiscal year in which final action was taken on the application.

The records of borrowers who have paid or otherwise satisfied their obligations are retained in the County, District, or State Office one full fiscal year. In those instances where real estate has been acquired by the FmHA through foreclosure, conveyance of title, etc., and subsequently sold to a borrower not eligible for FmHA programs, the State Office folder for this borrower will be transferred to the National Office after the account has been paid in full. The folder will be retained at the Federal Records Center for 10 years.

Correspondence records at the National Office which concern borrowers and applicants are retained three fiscal years after the last year in which there was correspondence.

System manager(s) and address: The County Supervisor at the County level, District Director at the District level, and the State Director at the State Office level, the Director of the Finance Office for Finance Office records, and the Administrator, FmHA, for the National Office file.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the administrator, (Attention: Freedom of Information Officer), USDA/FmHA, Washington, D. C. 20250. A request for information pertaining to an individual should contain: Name, address, FmHA Office where loan/grant was applied for/approved and particulars involved (i. e., date of request/approval, which FmHA program, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the Systems Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes primarily from the applicant/borrower/grantee.

USDA/FmHA—2

System name: Biographical Sketch File, USDA/FmHA

System location: USDA/FmHA 14th & Independence Avenue, S.W. Washington, D.C. 20250.

Categories of individuals covered by the system: All employees and former employees of FmHA at or above the Division Director level and all current and former State Directors.

Categories of records in the system: The system consists of files containing information concerning employee's educational and employment history, awards, marital status, number of children, present employment, place of birth and current residence. The employee knows the file is maintained and has approved the biography.

Authority for maintenance of the system: 7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This information is furnished to the news media, Congressional committees, organizations to which the employee will be speaking and other interested parties. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the National Office.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in a building with full-time security.

Retention and disposal: Indefinite.

System manager(s) and address: Administrator, USDA/FmHA, 14th & Independence Avenue, S.W. Washington, D.C. 20250

Notification procedure: Any individual may request information concerning this system of records, or information as to whether the system contains records pertaining to him from the System Manager. A request for information pertaining to an individual should contain: Name, address, position(s) held in FmHA and dates of employment.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him by submitting a written request to the System Manager.

Contesting record procedures: Same as access.

Record source categories: Information in this system is provided by the employee, or is taken from his record with his concurrence.

USDA/FmHA-3

System name:

Credit Report File, USDA/FmHA.

System location:

Each borrower's, grantee's, or applicant's credit report file is located in the County, District, or State Office through which the financial assistance is sought or was obtained. The addresses of State, District, and County offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration." Correspondence about borrower's, grantees, or applicant's credit reports and personal reference are located in the National, State, District, and County Offices Applicant/Borrower or Grantee file. A list of State Offices is included under the system titled "USDA/FmHA Applicant/Borrower or Grantee file."

The National Office is located at 14th and Independence Avenue, SW, Washington, D.C. 20250.

Categories of individuals covered by the system:

All FmHA borrowers, grantees, and recent applicants are included in the system.

Categories of records in the system:

The system consist of credit reports and personal references from credit agencies, lenders, and individuals.

Authority for maintenance of the system:

7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order pursuant thereto.

Referral to employers, businesses, landlords, creditors and others in order for FmHA to validate information and otherwise determine repayment ability and eligibility for FmHA programs.

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Referral to a collection or servicing contractor, or a local, State, or Federal agency, when FmHA determines such referral is appropriate for making or servicing loans, collecting the borrowers's account or as provided for in contracts with servicing or collection agencies.

Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any records within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in the Applicant/Borrower or Grantee file folders at the State, District, and County Offices.

Retrievability:

Records are indexed by name and identification number.

Safeguards:

Records are kept in locked offices at the State, District, and County Office. Access is restricted to authorized FmHA personnel.

Retention and disposal:

Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Disposal of records at the State, District, and County Office is accomplished through deposit in office waste containers. Credit reports and personal references relating to applications which are rejected, withdrawn, or otherwise terminated are retained in the County, District, or State Office 1 full fiscal year after the fiscal year in which final action was taken on the application.

Credit reports concerning borrowers who have paid or otherwise satisfied their obligation are retained in the County, District, or State Office 1 full fiscal year. Correspondence records at the National Office which concern borrowers, grantees, or applicants are retained 3 fiscal years after the last year in which there was correspondence.

System manager(s) and address:

The County Supervisor at the County Office, District Director at the District Office, State Director at the State Office, and the Administrator, FmHA, for the National Office file.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the appropriate System Manager. If the specific location of the record is not known, the individual should address his/her request to the Administrator (Attention: Freedom of Information Officer), USDA/FmHA, Washington, D.C. 20250. A request for information pertaining to an individual should contain: Name, address, FmHA Office where loan/grant was applied for/approved, and particulars involved (i.e., date of request/approval; which FmHA program, etc.).

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to one of the Systems Managers referred to in the preceding paragraph.

Contesting record procedures:

Same as Record access procedures.

Record source categories:

Information in this system comes primarily from credit agencies and creditors.

Systems exempted from certain provisions of the act:

Information contained in this system which would reveal the identity of a source who furnished information under an expressed or implied promise of confidentiality prior to May 1, 1979, and an expressed promise of confidentiality after May 1, 1979, is exempt from the provisions of 5 U.S.C. 552a(d)(1) on the basis of 5 U.S.C. 552a(k)(5).

USDA/FmHA—4

System name: Designated Attorney and Escrow Agent File, USDA/FmHA

System location: Each designated attorney or escrow agent file is located in the County Office and State Office in the State in which he is designated. In addition, all designated attorneys and escrow agents are listed at the National Office.

A list of State Offices and any additional States for which an office is responsible is included under the system titled "USDA/FmHA Applicant, Borrower, or Grantee File." The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration."

Categories of individuals covered by the system: All FmHA designated attorneys and escrow agents including those whose designations have expired within the last year.

Categories of records in the system: The system consists of a list of names of designated attorneys and escrow agents, and may include comments as to whether their performance has been satisfactory.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. Information is also provided to FmHA borrowers prior to loan closing and to other interested parties upon request. "Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the appropriate location.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in locked offices at all levels. Access at all levels is restricted to authorized FmHA personnel.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Records are destroyed one year after termination of the designation.

System manager(s) and address: The County Supervisor at the County Office level, the State Director at the State Office level, and the Administrator, FmHA, for the National Office file at the following address: USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator, USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250, telephone (202) 447-2211, (Attention Freedom of Information Officer). A request for information pertaining to an individual should contain: Name, address, State and county in which the individual was a designated attorney or escrow agent.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information comes primarily from the subject of the file.

USDA/FmHA—5

System name: Graduation File, USDA/FmHA

System location: Each borrower's graduation file is located in the County Office through which the borrower obtained his loan, and in some cases, at the State Office responsible for that County Office.

A list of State Offices and any additional States for which an office is responsible is included under the system titled "USDA/FmHA Applicant, Borrower or Grantee File." The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration."

Categories of individuals covered by the system: All FmHA borrowers whose loans are eligible for review to determine whether the borrower should obtain credit from other sources. All borrowers who have been in debt for at least two years on an emergency loan.

three years on an operating loan, or five years on a real estate loan are considered eligible for review.

Categories of records in the system: The system consists of files containing names of borrowers eligible for review, type of loan, whether graduation is advisable, and any communications with the borrower concerning whether the loan has been paid off or if the borrower is unable to refinance, as well as comments of the County Committee and the County Supervisor.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq. and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, or any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. "Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in locked offices at all levels, and access is restricted to authorized FmHA personnel.

Retention and disposal: Records are retained for three years after the list of borrowers eligible for review was received by the County Supervisor.

System manager(s) and address: The County Supervisor and the State Director at the appropriate levels.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator, (Attention Freedom of Information Officer), USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250, telephone (202) 447-2211. A request for information pertaining to an individual should contain: Name, address, State and county where loan was applied for or approved and particulars involved (i.e., date of request/approval, type of loan, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes primarily from the borrower.

USDA/FmHA—6

System name: Housing Contractor Complaint File, USDA/FmHA.

System location: Complaints concerning housing contractors may be filed in the County and State Offices in any State or county in which the contractor had conducted business.

A list of State Offices and any additional State for which an office is responsible is included under the system titled "USDA/FmHA Applicant, Borrower or Grantee File." The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration."

Categories of individuals covered by the system: All housing contractors who have performed work for FmHA borrowers and about whom the borrower has seen fit to file a complaint.

Categories of records in the system: The system consists of files containing borrowers' complaints concerning contractors.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. In addition, prospective FmHA borrowers and other interested parties may obtain information. Further, information contained in this file may be obtained for use in civil or administrative proceedings. "Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by the contractor or name of the construction company.

Safeguards: Records are kept in locked offices at all levels. Access at all levels is restricted to authorized FmHA personnel.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Records are retained for three fiscal years after the fiscal year of the complaint.

System manager(s) and address: The County Supervisor at the County Office level, and the State Director at the State Office level.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator, (Attention Freedom of Information Officer), USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250, telephone (202) 447-2211. A request for information pertaining to an individual should contain: Name, address, and location where work was performed for FmHA borrowers.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes primarily from the complainants.

USDA/FmHA—7

System name: Reserved Mineral Interests, USDA/FmHA

System location: This system is maintained at the National Office at the following address: USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250.

Categories of individuals covered by the system: All FmHA borrowers' who purchased land with a FmHA loan prior to 1951 where FmHA retained mineral interests.

Categories of records in the system: The system consists of files containing borrower's name, county where property is located, fair market value of mineral interest at the time such interests were offered for sale, date of acceptance or rejection of governmental offer for sale of mineral interest, percentage of mineral interest owned by Federal Government, the date on which the borrower made a deposit for the purchase of the mineral interest, and the date on which such a deposit was refunded. Additionally, the file contains remarks generally pertaining to additional names which have been added to the title.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. The information is also available to interested parties. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in locked offices. Access at all levels is restricted to authorized FmHA personnel.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Records will be retained permanently.

System manager(s) and address: The Administrator, Farmers Home Administration, USDA, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager. A request for information pertaining to an individual should contain: Name, address, State and county loan was applied for/approved and particulars involved (i.e., date of request/approval, type of loan, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes primarily from the borrower.

USDA/FmHA—8

System name: Tort Claims File, USDA/FmHA

System location: Each claimant's file is located in the office of the employee against whom the action was filed, the applicable State Office, and the National Office. A list of State Offices and any additional States for which an office is responsible is included under the system titled "USDA/FmHA Applicant, Borrower or Grantee File." The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration." The National Office is located at the following address: USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250.

Categories of individuals covered by the system: All claimants who have filed civil suits against employees of FmHA, or against the Federal Government including those filed under the Tort Claims Act as a result of circumstances involving the Farmers Home Administration.

Categories of records in the system: The system consists of files containing information as to the circumstances of the loss for which the claimant is seeking relief, opinion of the Office of General Counsel, USDA, and disposition of the case.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by claimant's name.

Safeguards: Records are kept in locked offices at all levels. Access at all levels is restricted to authorized FmHA personnel.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Records are retained for five years after the last written report or document was placed in the file.

System manager(s) and address: The County Supervisor at the County Office level, the State Director at the State Office level, and the Administrator, FmHA, for the National Office file.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator (Attention Freedom of Information Officer), USDA/FmHA, 14th & Independence Avenue, S.W., Washington, D.C. 20250, telephone (202) 447-2211. A request for information pertaining to an individual should contain: Name, address, defendant in the action, and date of the initiation of the action.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this file comes primarily from the claimant.

USDA/FmHA—9

System name: Training Files, USDA/FmHA.

System location: Training files may be located at the FmHA Training Center, 1408 Asp Avenue, Norman, Oklahoma 73069, or the FmHA National Office, 14th & Independence Avenue, S.W., Washington, D.C. 20250.

Categories of individuals covered by the system: All persons who have received or applied for training at the FmHA Training Center and other locations if such training was to be at FmHA expense.

Categories of records in the system: Name of individual, date(s) of training, and course(s) taken or applied for are included in this record.

Authority for maintenance of the system: 7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card file at Norman, Oklahoma and in file folders at the National Office.

Retrievability: Records are indexed by the name of the individual receiving/applying for training.

Safeguards: Records are kept in a locked office.

Retention and disposal: Retention is indefinite.

System manager(s) and address: Resident Manager, FmHA Training Center; Administrator, FmHA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. Requests should include name and address.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the System Manager.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes from the applicant.

USDA/FmHA—10

System name: Travel Records, USDA/FmHA.

System location: Each traveler's file is located in the County Office in which he is employed, the State Office responsible for that County Office, or in the National or Finance Office if the traveler is employed at either of those levels.

A list of State Offices and any additional States for which an office is responsible is included under the system titled "USDA/FmHA Applicant, Borrower or Grantee File." The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration."

Categories of individuals covered by the system: All FmHA employees and former employees whose travel expenses have been paid for by the Farmers Home Administration.

Categories of records in the system: The system consists of files containing employees' itineraries and travel vouchers.

Authority for maintenance of the system: 7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et. seq., and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or presecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Records are kept in locked offices at all levels. Access at all levels is restricted to authorized FmHA personnel.

Retention and disposal: Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 366-380) and in accordance with FmHA's disposal schedules. Records are disposed of two years after the fiscal year in which the travel occurred.

System manager(s) and address: The County Supervisor at the County Office level, the State Director at the State Office level, the Director of the Finance Office for Finance Office records, and the Administrator, FmHA, for the National Office file.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator (Attention Freedom of Information Officer), USDA/FmHA, 14th & Independence Avenue, SW., Washington, D.C. 20250, telephone (202) 447-2211. A request for information pertaining to an individual should contain: Name, address, and dates and places of employment.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures: Same as access.

Record source categories: Information in this system comes primarily from the employee.

USDA/FCIC-1

System name:

Accounts Receivable, USDA/FCIC.

System location:

Kansas City Operations Office, Federal Crop Insurance Corporation, 9435 Holmes, Kansas City, Missouri 64131. A copy is also maintained in the applicable Field Operations Office for the State(s), and the Service Office for the county(ies) of the Federal Crop Insurance Corporation, as well as the ASCS County Offices of the United States Department of Agriculture. Addresses of these field offices may be obtained from the Director, Field Operations Division, FCIC, Washington, D.C. 20250.

Categories of individuals covered by the system:

Individuals who are indebted to the Federal Crop Insurance Corporation.

Categories of records in the system:

System consists of a master list of indebtedness by county and individual.

Authority for maintenance of the system:

7 U.S.C. 1501-1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute or by rule, regulation or order issued pursuant thereto.

(2) Disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before a court, magistrate, or administrative tribunal, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

(3) Disclosures may be made from this system with respect to delinquent debts to a credit reporting agency consistent with the provisions of 31 U.S.C. 3701, 3702, 3711-3720A, and the Federal Claims Collection Standards, 4 CFR 102.2.

(4) Referral of legally enforceable debts to the Department of the Treasury, Internal Revenue Service (IRS) to be offset against any tax refund that may become due the debtor for the tax year in which the referral is made, in acordance with the IRS regulations at 26 CFR 301.6402-6T, Offset of Past-Due Legally Enforceable Debt Against Overpayment, and under the authority contained in 31 U.S.C. 3720A.

(5) Referral to a collection agency, when FCIC determines such referral is appropriate for collecting the debtor's account as provided for in U.S. Government contracts with collection agencies.

(6) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(7) Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or 31 U.S.C. 3701(a)(3)).

(8) Referral of commercial credit information, which is filed in the system, to a commercial credit reporting agency for it to make the information publicly available. 7 CFR 3.35.

(9) Referral of information regarding indebtedness to the Defense Manpower Data Center, Department of Defense, and the United States Postal Service, for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their repayment of debts owed to the U.S. Government under certain programs administered by the Federal Crop Insurance Corporation in order to collect debts under the provisions of the Debt Collection Act of 1982 (Pub. L. 97-365) by voluntary repayment, administrative or salary offset procedures, or through the use of collection agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer printouts, magnetic tape, microfiche, and also in a card index in county ASCS offices.

Retrievability:

Records are indexed by State, county, and name of individual.

Safeguards:

Records are accessible only to authorized personnel and are maintained in offices which are locked during non-duty hours.

Retention and disposal:

Records are maintained until the indebtedness is paid. Paper records for disposal are delivered to custodial services for disposal as waste paper. Magnetic tape records are erased.

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Notification procedure:

An individual may request information regarding this system of records or information as to whether the system contains records pertaining to such individual from the service office. Addresses of locations where records are maintained may be obtained from the Director, Field Operations Division, FCIC, Washington, DC 20250. The request for information should contain (1) Individual's name and address, (2) State(s) and county(ies) where such individual farms, and (3) the individual policy number, if known.

Record access procedures:

An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to such individual by submitting a written request to the Director, Field Operations Division, FCIC, Washington, DC 20250.

Contesting record procedures:

Same as access procedure.

Record source categories:

Information in this system comes from the individual debtor.

USDA/FCIC-2

System name:

FCIC Compliance Review Cases, USDA/FCIC.

System location:

Office of Compliance, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Room 4068, South Building, 14th and Independence Avenue, SW., Washington, DC 20250, and Branch Offices of the Office of Compliance located in strategic cities throughout the United States. Addresses of each Branch Office may be obtained from the Assistant Manager for Compliance, Office of Compliance, FCIC, at the address listed above.

Categories of individuals covered by the system:

FCIC employees, Insurance Companies under an Agency Sales and Service Contract, Insurance Companies whose policies of crop insurance are reinsured by FCIC under a Reinsurance Agreement, Insurance Industry Committee or Board Members, agents, loss adjusters, or other employees, and any other individuals alleged to be violators of program or contractual provisions or who are otherwise the subject of a compliance review.

Categories of records in the system:

The system consists of compliance review files containing evidence gathered in the course of Office of Compliance reviews. These files also contain reports by other entities including the Office of Inspector General, USDA, as well as intra and interdepartmental recommendations. The records system also includes a tracking system maintained by computer which provides current status reports on all cases involving FCIC including reports and conclusions by other entities.

Authority for maintenance of the system:

The Office of Compliance is responsible for compliance activities with respect to programs administered by FCIC under the authority of 7 U.S.C. 1501-1520 and 7 CFR 2.23(h).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Records contained in this system may be referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility for investigating or prosecuting a violation of law, or for enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Records contained in this system may be referred to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(3) Records from this system may be disclosed in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(4) Records from this system may be disclosed in response to a request for discovery or for the appearance of a witness, to the extent that the agency determines that the information sought is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and in computer data files at the addresses listed under "System location."

Retrievability:

The records filed in this system are issued a primary individual name or company name and a case number. A secondary name indicating the subject under compliance review is also issued. The records are filed in order of occurrence. Files are retrieved by identifying the individual or company name, subject, and case number.

Safeguards:

Records are stored in file folders and computer data files accessible only to authorized personnel. The computer data base is accessed through a secure system procedure by Office of Compliance Staff and by the FCIC ADP Security Officers. Offices containing these records are locked when not in use during nonbusiness hours and when offices are otherwise vacant. All records are accessible to Office of Compliance Staff and FCIC ADP Security Officers.

Retention and disposal:

Magnetic tape records are maintained indefinitely. Hard copy records are maintained subject to the Disposal of Field Records retention schedule (FCIC Issuance System-M5-P2-C8, Exhibits 1, 2, and 5).

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Assistant Manager for Compliance, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Systems exempted from certain provisions of the act:

Pursuant to the provisions of 5 U.S.C. 552a(k)(2), material in this system of records is exempt from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) because it contains investigatory material compiled for law enforcement purposes. See 7 CFR 1.123.

5 U.S.C. 552a(d) requires that an individual be given access to and the right to amend files pertaining to himself or herself. Such individual access to these files could hamper reviews in progress by alerting subjects involved in compliance reviews that their actions are under scrutiny, and allow them time to take measures to prevent detection of any illegal activities or escape prosecution. Release of these records would also disclose investigatory techniques and review procedures employed by Office of Compliance, FCIC and other agencies, which may impair law enforcement activities.

5 U.S.C. 552a(c)(3) requires that an accounting of disclosures be made available to an individual. This would impair compliance reviews by alerting the subject of the review to the existence of those compliance reviews.

The release of information from these files could result in the destruction or alteration of documentary evidence necessary to prosecution, improper influencing of witnesses, and other activities which could impede or compromise the review. 5 U.S.C. 552a(e)(1) permits the maintenance of only such information as is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. Exemption from this provision is required because determination of relevance and necessity can be made only after information is evaluated. Evaluation at the time of collection is too time consuming for the effective conduct of a compliance review. Further, the determination of relevance or necessity of specific information at the early stages of the compliance review is not possible.

5 U.S.C. 552a(e)(4) (G) and (H), and (f) provide for notification and access procedures. If these requirements are followed it would necessarily alert subjects of the compliance review to the existence of the review and could impair the outcome of the review. Similarly, access to the records could interfere with compliance review and ultimate law enforcement proceedings; disclose confidential informants and information; constitute an unwarranted invasion of the personal privacy of others; and, reveal confidential investigative techniques and procedures. 5 U.S.C. 552a(e)(4)(I) requires that categories of records in each system be published. Application of this provision could disclose investigative techniques and procedures employed by compliance reviewers and result in sources not giving information because of fear of reprisal, or fear of breach of promises of anonymity or confidentiality resulting in a compromise of the ability to conduct a compliance review.

USDA/FCIC-3

System name:

Crop Insurance Actuarial Listing, USDA/FCIC.

System location:

Field Actuarial Offices: Davis, California; Valdosta, Georgia; Springfield, Illinois; Oklahoma City, Oklahoma; Billings, Montana;

Jackson, Mississippi; Raleigh, North Carolina; St. Paul, Minnesota; and Topeka, Kansas.

Field Operations Offices: Davis, California; Harrisburg, Pennsylvania; Columbia, Missouri; Springfield, Illinois; Indianapolis, Indiana; Des Moines, Iowa; Manhattan, Kansas; St. Paul, Minnesota; Jackson, Mississippi; Billings, Montana; Lincoln, Nebraska; Raleigh, North Carolina; Bismarck, North Dakota; Columbia, South Carolina; Huron, South Dakota; Nashville, Tennessee; College Station, Texas; and Spokane, Washington.

Also, service offices of the Federal Crop Insurance Corporation. Addresses of each such field office may be obtained from the telephone directories under United States Government, Department of Agriculture, Federal Crop Insurance Corporation.

Categories of individuals covered by the system:

Individuals who produce specific crop(s) in the county.

Categories of records in the system:

The system contains the name and address of the owner or operator of a farm, ASCS farm serial number, allotment or planted acres of the crop, and the actuarial classification for the crop(s).

Authority for maintenance of the system:

7 U.S.C. 1501-1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

(3) Information in the system of records is on file and available to the public for inspection in the service office for the county.

(4) Dislosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by State, county, crop, and name of owner/operator of ASCS farm serial number.

Safeguards:

Records are available for public inspection in the service office for the county. These offices are locked during non-working hours.

Retention and disposal:

Indefinite.

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Notification procedure:

An individual may request information regarding this system of records or information as to whether the system contains records pertaining to such individual from the service office. The addresses of the individual service office may be obtained from the Director, Field Operations Division, FCIC, Washington, DC 20250. A request for information pertaining to an individual should contain (1) Individual's name and address, (2) State(s) and county(ies) where farm(s) is located, (3) whether owner or operator, and (4) ASCS farm serial number.

Record access procedures:

An individual may obtain information as to procedures for gaining access to a record in this system which pertains to such individual by submitting a written request to the Director, Field Operations Division, FCIC, Washington, DC 20250.

Contesting record procedures:

Same as access above.

Record source categories:

Information in this system comes from county ASCS offices, data obtained from producers and from Corporation records of producers's insurance experience.

USDA/FCIC-5

System name:

Rejected applications, USDA/FCIC.

System location:

Field Operations Offices: Davis, California; Harrisburg, Pennsylvania; Columbia, Missouri; Springfield, Illinois; Indianapolis, Indiana; Des Moines, Iowa; Manhattan, Kansas; St. Paul, Minnesota; Jackson, Mississippi; Billings, Montana; Lincoln, Nebraska; Raleigh, North Carolina; Bismarck, North Dakota; Columbia, South Carolina; Huron, South Dakota; Nashville, Tennessee; College Station Texas, and, Spokane, Washington. Also individual service offices of the Federal Crop Insurance Corporation. The address of each Field Operations Office may be obtained from the local telephone directory under the "United States Government, Department of Agriculture, Federal Crop Insurance Corporation."

Categories of individuals covered by the system:

Producers whose applications for insurance have been rejected.

Categories of records in the system:

System consists of the rejected application, related materials and correspondence received between the applicant and Federal Crop Insurance Corporation offices.

Authority for maintenance of the system:

7 U.S.C. 1501-1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1)Referral top the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

(3) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders in the service and field operations offices involved.

Retrievability:

Records are indexed by individual names and crop years.

Safeguards:

Records are accessible only to authorized personnel and are maintained in offices which are locked during non-working hours.

Retention and disposal:

Records are normally retained for 3 years following the crop year in which the file was prepared. Records for disposal are delivered to custodial services as waste paper.

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, D.C. 20250.

Notification procedure:

An individual may request information regarding this system of records, or information as to whether the system contains records pertaining to such individual from the service office for the county. The addresses of the individual service office may be obtained from the Director, Field Operations Division, FCIC, Washington, D.C. 20250. A request for information pertaining to an individual should contain (1) Individual's name and address, (2) State(s) any county(ies) where farm(s) is located, and (3) crop year in which application for insurance was rejected.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in this system which pertains to such individual by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures:

Same as access procedure.

Record source categories:

Information in this system comes from prospective insureds and employees of the Federal Crop Insurance Corporation.

USDA/FCIC-6

System name:

Insurance Contract Analysis, USDA/FCIC.

System location:

Federal Crop Insurance Corporation, 9435 Holmes, Kansas City, Missouri, 64131. Field Actuarial Offices in Valdosta, Georgia; Springfield, Illinois; Oklahoma City, Oklahoma; Billings, Montana; Jackson, Mississippi; Raleigh, North Carolina; St. Paul, Minnesota; Topeka, Kansas; Harrisburg, Pennsylvania; and, Davis, California. Field Operations offices in 18 different locations, and individual service offices of the Federal Crop Insurance Corporation. Addresses of each field office may be obtained from the Director, Field Operations Division, FCIC, Washington, D.C. 20250.

Categories of individuals covered by the system:

Individuals who have, or have had in the past, insurance with the Federal Crop Insurance Corporation.

Categories of records in the system:

The system contains the name, crops insured by crop years, the amount of premium paid by the insured, the amount of indemnity paid to the insured, the cause of loss, loss ration of each crop insured under the policy, the number of years of no loss, the wheat bushel balance for premium discount purposes, the total number of years a premium discount was earned, and the number of years an indemnity was paid.

Authority for maintenance of the system:

7 U.S.C. 1501–1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when informatimn available ildicates a violation of potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by rule, regulation or order issued pursuant thereto.

(2) Referral to a court magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

(3) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in bound books and on magnetic tape.

Retrievability:

Records are indexed by State, county and policy number.

Safeguards:

Records are accessible only to authorized personnel and are maintained in offices which are locked during non-working hours.

Retention and disposal:

Records are maintained for 3 years after a policy is cancelled, except indefinite retention applies where the loss ratio for an individual crop was 1.20 or greater. Paper records for disposal are delivered to custodial services for disposal as waste paper. Magnetic tape records are erased.

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, D.C. 20250.

Notification procedure:

An individual may request information regarding this system of records or information as to whether the system contains records pertaining to such individual from the service office for the county. Addresses of locations where records are maintained may be obtained from the Director, Field Operations Division, FCIC, Washington, D.C. 20250. The request for information should contain (1) individual's name and address (2) State(s) and county(ies) where such individual farms, and (3) the individual policy number, if known.

Record access procedures:

An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to such individual by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures:

Same as access procedure.

Record source categories:

Information in this system is a summary of data obtained from insured producers.

USDA/FCIC-7

System name:

Insurance Contract Files, USDA/FCIC.

System location:

Kansas City Operations Office, Federal Crop Insurance Corporation, 9435 Holmes, Kansas City, Missouri 64131 and/or various service offices throughout the United States. To obtain addresses of the service offices, contact: Director, Field Operations Division, Washington, D.C. 20250.

Categories of individuals covered by the system:

Individual farmers who participate in the Federal Crop Insurance program are included in this system of records.

Categories of records in the system:

This system consists of a complete file containing all basic insurance documents; i.e., the application for insurance, the annual acreage report, inspection reports, claim forms, miscellaneous correspondence, etc. Selected data obtained from the basic insurance documents is also maintained on magnetic tape.

Authority for maintenance of the system:

7 U.S.C. 1501–1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charges with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

(3) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in individual file folders and on magnetic tape.

Retrievability:

Records are indexed by State, county, and policy number.

Safeguards:

Records are accessible only to authorized personnel and are maintained in offices which are locked during non-working hours.

Retention and disposal:

Records are maintained for 3 years following cancellation of the policy, except where there is an outstanding debt the file is retained 5 years following the year of the debt. Paper records for disposal are delivered to custodial services for disposal as waste paper. Magnetic tape records are erased.

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Notification procedure:

An individual may request information regarding this system of records or information as to whether the system contains records pertaining to such individual from the Director, Field Operations Division, FCIC, Washington, DC 20250. Addresses of locations where records are maintained may also be obtained from the above office.

A request for information should contain (1) individual's name and address, (2) State(s) and county(ies) where such individual farms, and (3) the individual policy number(s), if known.

Record access procedures:

An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to such individual by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures:

Same as access procedure.

Record source categories:

Information in this system comes primarily from individual insured, Federal Crop Insurance Corporation and investigative personnel.

USDA/FCIC-8

System name:

List of Ineligible Producers, USDA/FCIC.

System location:

Kansas City Operations Office, Federal Crop Insurance Corporation, 9435 Holmes, Kansas City, Missouri 64131; Field Underwriting Offices; Field Operations Offices; and each service office of the Federal Crop Insurance Corporation. Addresses of each such field office may be obtained from the Director, Field Operations Division, FCIC, Washington, DC 20250.

Categories of individuals covered by the system:

Individuals who have been determined as not eligible for Federal Crop Insurance due to excessive losses or questionable farming practices not typical to their area, non-payment of premium or other indebtedness arising under the terms of the crop insurance contract, or who have contracts voided due to fraud or other contract violations.

Categories of records in the system:

Record contains only lists of names and last known addresses of producers, including township and range where applicable, Social Security and Tax Identification numbers when voluntarily provided, and prior policy numbers, if any, for a specific state and county.

Authority for maintenance of the system:

7 U.S.C. 1501-1520; 7 CFR 2.73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(5) Referral of information regarding policyholder ineligibility to private insurance companies under an Agency Sales and Service Contract with respect to those policyholders determined by FCIC to be ineligible for Federal Crop Insurance due to excessive losses or questionable farming practices not typical to their area, non-payment of premium or other indebtedness arising under the terms of the crop insurance contract, or who have contracts voided due to fraud or other contract violations.

(6) Referral of information regarding policyholder ineligibility to private insurance companies under a Reinsurance Agreement with FCIC with respect to individuals whose crop insurance policies are reinsured by FCIC, and whose policies are determined by FCIC to be ineligible for reinsurance by FCIC due to excessive losses or questionable farming practices not typical to their area, non-payment of premium or other indebtedness arising under the terms of the crop insurance contract, or who have contracts voided due to fraud or other contract violations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders by county, and on magnetic tape.

Retrievability:

Records are indexed by State, county, name and last known address of individuals, including township and range where applicable, Social Security and Tax Identification numbers when voluntarily provided, and prior policy numbers, if any, for a specific state and county.

Safeguards:

Records are accessible only to authorized personnel and are maintained in offices which are locked during non-working hours.

Retention and disposal:

Magnetic tape records are maintained indefinitely. Hard copy records are maintained subject to the Disposal of Field Records retention schedule (FCIC Issuance System—M5-P2-C8, Exhibits 1, 2, and 5).

System manager(s) and address:

Manager, Federal Crop Insurance Corporation, USDA, Washington, DC 20250.

Notification procedure:

An individual may request information regarding this system of records or information as to whether the system contains records pertaining to such individual from the Manager, Federal Crop Insurance Corporation, Room 4096, South Building, U.S. Department of Agriculture, Washington, DC 20250. Addresses of locations where records are maintained may also be obtained from the above office.

A request for information pertaining to an individual should contain (1) Individual's name and address, (2) State(s) and county(ies) where such individual farms, and (3) the individual policy number(s), if known.

Record access procedures:

An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to such individual by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures:

Same as access procedure.

Record source categories:

Information in this system comes from FCIC policyholder records, reports of inspections made by FCIC personnel of producer's operations, records of previous insuring experience, and equivalent records maintained by reinsured companies and reported to FCIC.

USDA/FGIS-1

System name:

USDA/FGIS 1. Employment History Records for Licensed Nonfederal Employees.

System location:

Federal Grain Inspection Service, USDA, 1400 Independence Avenue, SW., Washington, DC 20250.

Categories of individuals covered by the system:

Inspectors, Weighers, Samplers, Technicians.

Categories of records in the system:

This system consists of applications for license; license files; biographical data; functions which the licensee may perform; licensee's powers of attorney; factors which affect or might affect desirability as a licensee; current, expired, and voided licenses; license examination score sheets; license renewal score sheets; miscellaneous notes and memorandums, e.g., transfers, cancellations, letters of corrective action, commendations, caution or warning, suspensions, and proposals to revoke license. Content and extent of these records vary by commodity, program, and season.

Authority for maintenance of the system:

7 U.S.C. 71 et seq., 7 U.S.C. 1621 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) To prepare required reports for the General Accounting Office; (2) To prepare required reports for the Department of Justice; (3) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (5) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (6) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; and (7) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, notebooks, and computers.

Retrievability:

Records are indexed by name of licensee and/or license number.

Safeguards:

Government office buildings, locked offices, or locked file cabinets.

Retention and disposal:

Destroy immediately when licensee is deceased, or 10 years after license is terminated. Records are maintained in accordance with the General Services Administration disposal schedules, as implemented by FGIS Instruction 251.1, Records Management Program.

System manager(s) and address:

Director, Field Management Division, USDA, Federal Grain Inspection Service, 1400 Independence Ave., SW., Washington, DC 20250.

Notification procedure:

Individuals may request information concerning themselves from this system by submitting a written request to the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

Individuals may contest a record in the system that pertains to them by submitting a request to the System Manager.

Record source categories:

Information in the system comes primarily from licensees and supervisors. Additional data may be provided by investigative personnel.

USDA/FGIS-2

System name:

USDA/FGIS-2, Investigations Undertaken by the Government Pursuant to the U.S. Grain Standards Act of 1976, as amended, or the Agricultural Marketing Act of 1946, as amended.

System location:

Federal Grain Inspection Service, USDA, 1400 Independence Avenue, SW., Washington, D.C. 20250.

Categories of individuals covered by the system:

Individuals who are regulated by the subject Acts and who have been investigated for possible violation of the Acts and/or against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system:

The system consists of investigatory material which may include intra- and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system:

7 U.S.C. 71 et seq., 7 U.S.C. 1621 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected, and (4) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and incorporated in an automated data system.

Retrievability:

Records are indexed by subject and chronological sequence. The subject could be the name of the individual.

Safeguards:

Government office buildings, locked offices, or locked file cabinets.

Retention and disposal:

Records for basic investigations are retained for 5 years, unless the investigation involves licensee conflicts of interest, then records are to be retained for 10 years. Records are maintained in accordance with General Services Administration disposal schedules, as implemented by FGIS Instruction 251.1, Records Management Program.

System manager(s) and address:

Director, Compliance Division, USDA, Federal Grain Inspection Service, 1400 Independence Avenue, SW., Washington, D.C. 20250.

Systems exempted from certain provisions of the act:

The system has been exempted under 5 U.S.C. 552a(k)(2) from the requirement of 5 U.S.C. 552a (c)(3), (d), (e)(4) (G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/FGIS-3

System name:

USDA/FGIS-3, USDA/FGIS Subsidiary Personnel Records.

System location:

Federal Grain Inspection Service, USDA, 1400 Independence Avenue, SW., Washington, D.C. 20250, and field offices at locations listed in the Federal Grain Inspection Service Field Office Listing publication.

Categories of individuals covered by the system:

Present and former employees and applicants for reemployment with the Federal Grain Inspection Service.

Categories of records in the system:

The system consists of copies of materials maintained in Official Personnel Folders, such as personnel action documents, position descriptions, applications for employment, education and training data, performance and appraisal ratings, the documentation of employee performance and proficiency, and time and attendance reports.

Authority for maintenance of the system:

5 U.S.C. 301, 7 U.S.C. 75a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) For FGIS officials to review appointments, promotions, within-grade increases, training, transfers, and determination of qualification of an individual; (2) To prepare required records and reports to the Office of Personnel Management, Department of Labor, Merit Systems Protection Board, and Office of Management and Budget; (3) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (4) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (5) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; and (6) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Government office buildings, locked offices, or locked file cabinets.

Retention and disposal:

Records are reviewed annually and superseded documents are destroyed; or destroy all documents relating to an individual employee 1, year after separation or transfer. Records are maintained in conformance with appropriate General Services Administration disposal schedules and implemented by FGIS Instruction 251.1, Records Management Program.

System manager(s) and address:

Director, Resources Management Division, USDA, Federal Grain Inspection Service, 1400 Independence Avenue, SW., Washington, DC 20250.

Notification procedure:

Individuals may request information concerning themselves from this system by submitting a written request to the System Manager or to their individual supervisors at the appropriate office having custody of their records. The request for information should contain the name and address of the requester and the particular information requested.

Record access procedures:

Same as above.

Contesting record procedures:

Individuals may request a change or amendment of their records. This request should be addressed to the System Manager.

Record source categories:

Information in this system is obtained from the individual to whom it applies or is derived from information the individual supplied, except information provided by agency officials on performance, appraisal, pay, leave, and allowance records.

USDA/FGIS-4

System name:

USDA/FGIS-4, Nonviolation Case File System on Individuals Subject to the U.S. Grain Standards Act, as amended, or the Agricultural Marketing Act of 1946, as amended.

System location:

Federal Grain Inspection Service, USDA, 1400 Independence Avenue, SW., Washington, DC 20250.

Categories of individuals covered by the system:

Individuals who are regulated by the subject Acts and who have been referenced in an investigation or other information for possible violations of the Acts or other Federal law with respect to the handling, weighing, or official inspection of commodities.

Categories of records in the system:

Information on individuals who are subject to the rules of the U.S. Grain Standards Act, as amended, or the Agricultural Marketing Act of 1946, as amended, and activities which might lead to possible violations of these Acts or violations of other Federal law with respect to the handling, weighing, or official inspection of commodities.

Authority for maintenance of the system:

7 U.S.C. 71 et seq., 7 U.S.C. 1621 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Use of such records will be limited to authorized personnel of the Federal Grain Inspection Service; (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information

containd in the records that is compatible with the purpose for which the records are collected; (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and incorporated into an automated data system.

Retrievability:

Records are indexed by subject and chronological sequence. The subject could be the name of an individual.

Safeguards:

Government office building, locked offices, or locked file cabinets.

Retention and disposal:

Records are retained for 5 years in conformance with appropriate General Services Administration disposal schedules as implemented by FGIS Instruction 251.1, Records Management Program.

System manager(s) and address:

Director, Compliance Division, USDA, Federal Grain Inspection Service, 1400 Independence Avenus, SW., Washington, D.C. 20250.

Notification procedure:

Individuals may request information concerning themselves from this system by submitting a written request to the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

Individuals may contest a record in a system that pertains to them by submitting a request to the System Manager.

Record source categories:

Information in this sytem comes primarily from complaints, case file reviews, investigative reports, Agency employees, and the news media.

USDA/FGIS-6

System name:

USDA/FGIS-6, Conflicts of Interest of Employees of Official Agencies and of Individuals under Contract with the Federal Grain Inspection Service.

System location:

Federal Grain Inspection Service, USDA, 1400 Independence Avenus, SW., Washington, D.C. 20250.

Categories of individuals covered by the system:

Any employee of an official agency or any individual under contract with FGIS who has a potential conflict of interest.

Categories of records in the system:

This system consists of all forms, correspondence, and other data pertinent to processing conflict of interest reports.

Authority for maintenance of the system:

7 U.S.C. 87 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local of foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (3) Disclosure in a proceeding before a court of adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; and (4) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in individual file folders at the above address.

Retrievability:

Records are alphabetically indexed by the last name of the individual.

Safeguards:

Records are kept in Government office buildings, in locked offices, or in locked file cabinets.

Retention and disposal:

Records involving Registrant conflicts of interest are retained for 5 years, and Licensee conflicts of interest records are retained for 10 years after license is terminated, or destroyed immediately when licensee is deceased. Records are maintained in accordance with General Services Administration disposal schedules as implemented by FGIS Instruction 251.1, Records Management Program.

System manager(s) and address:

Director, Compliance Division, FGIS, USDA, 1400 Independence Avenue, SW., Washington, D.C. 20250.

Notification procedure:

Individuals may request information concerning their records by submitting a written request to the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

Individuals may contest a record in a system that pertains to them by submitting a written request to the System Manager.

Record source categories:

Information contained in the system is obtained from official agency employees or their supervisors, contract samplers, and FGIS field office personnel.

USDA/FNS—1

System name: Civil Rights Complaints and Investigations—USDA/FNS

System location: Office of Civil Rights and Equal Employment Opportunity, Food and Nutrition Service, United States Department of Agriculture, 500 12th St., SW., Room 750, Washington, D.C. 20250, and FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; and San Francisco, California which covers the States of

Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service."

Categories of individuals covered by the system: Included in this system are (1) files of persons who have alleged discrimination of the type prohibited by Title VI of the Civil Rights Act of 1964 and subsequent regulations; (2) files, names and case numbers, and case file information regarding State or local agency compliance with Title VI (includes names and case numbers referencing individuals who have been contacted or whose case files have been reviewed to ascertain a State's compliance).

Categories of records in the system: The system consists of records on individual complaints alleging discrimination and includes: (1) Evidentiary information to disprove or substantiate the allegations; (2) Sources of information; (3) Statements from witnesses; and (4) Statistical data supplied by the State or local agency.

Authority for maintenance of the system: 42 U.S.C. 2000 d-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; and (3) staff evaluations of the availability of FNS food assistance programs without regard to race, color, national origin, religious belief, or political affiliation. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable addresses listed above.

Retrievability: Civil Rights complaints are indexed by State and complainant's name. Office of Investigation reports are indexed by complainant's name and investigation number.

Safeguards: Records are kept in either locked filing cabinets or in locked offices.

Retention and disposal: Closed cases are retained for one fiscal year following the end of the fiscal year in which they are closed. Thereafter, they are transferred to Federal Records Centers and maintained for three additional fiscal years before disposal.

System manager(s) and address: Director, Office of Civil Rights and Equal Employment Opportunity, Food and Nutrition Service, United States Department of Agriculture, Washington, D.C. 20250 (202-447-8410), or the appropriate Regional Administrator at the address listed above.

Notification procedure: An individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate manager as set forth in the preceding paragraph.

A request for information pertaining to an individual should contain the name and address of the individual, and whether the records were compiled as a result of a complaint or an FNS compliance review.

Record access procedures: An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate system manager listed above. The envelope and the letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from complainants, witnesses, agency employees, and investigative personnel.

Systems exempted from certain provisions of the act: This material has been exempted in 7 CFR 1.23 pursuant to 5 U.S.C. 552 a(k)(2) from the requirements of subsections (c)(3), (d), (G), and (H). The above system contains information received under an express or implied promise of confidentiality, or investigative techniques, processes, or procedures, the disclosure of which could be detrimental to legitimate agency functions.

USDA/FNS—2

System name: Food Stamp Program Inquiries and Complaints—USDA/FNS

System location: FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; and San Francisco, California which covers the States of Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service."

Categories of individuals covered by the system: Recipients and other persons dissatisfied with or seeking information about local Food Stamp Program policy and procedures.

Categories of records in the system: The system consists of copies of each complaint or inquiry and the resulting documentation gathered in responding to it.

Authority for maintenance of the system: 78 Stat. 703 as amended; 7 U.S.C. 2011-2025; and 7 CFR Parts 270, 271.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Serves as a record of action taken and as resource information to determine trends and patterns; (2) referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; and (3) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the addresses listed above.

Retrievability: Records are indexed by State, name of individual, and food stamp project area.

Safeguards: Records are kept either in locked file cabinets or locked offices.

Retention and disposal: Cases remain in the agency's files until the end of the fiscal year following the fiscal year in which they are closed; thereafter they are transferred to Federal Record Centers and maintained for three additional years before disposal.

System manager(s) and address: Regional Food Stamp Program Directors at the addresses listed above.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the appropriate system managers as set forth in the preceding paragraph. A request for information should contain name, address, and particulars involved (i.e., the date of action giving rise to the inquiry, complaint, etc.)

Record access procedures: An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate system manager as set forth in the preceding paragraph. The envelope and the letter should be marked "Privacy Act Request".

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from recipient and non-recipient inquiries and complaints, case file review, collateral contacts, and investigative reports.

USDA/FNS—3

System name: Claims Against Food Stamp Recipients—USDA/FNS.

System location: Claims Branch, Central Accounting Division, Food and Nutrition Service, United States Department of Agriculture, Room 105, West Auditors Building, Washington, D.C. 20250, and FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; San Francisco, California which covers the States of Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service."

Categories of individuals covered by the system: Individuals who have received food stamps to which they are not entitled due to excess income, excess resources, household size reported incorrectly, etc.

Categories of records in the system: The system consists of Claim Determinations and supporting documents prepared by the State showing amounts due FNS and the basis for the claim. An individual file is maintained on each recipient showing amount of claim and a running balance of amounts paid until claim is paid in full.

Authority for maintenance of the system: 78 Stat. 703 as amended; 7 U.S.C. 2011-2025; 7 CFR Part 271.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Establish accounts receivable for money due FNS; (2) referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; and (3) Referral to a court magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the addresses listed above.

Retrievability: Records are filed by name of recipient, County, and State.

Safeguards: Records are kept either in locked file cabinets or in locked offices.

Retention and disposal: Cases remain in the active files until the end of the fiscal year following the fiscal year in which they are closed. Thereafter they are transferred to Federal Records Centers and maintained for three additional fiscal years before disposal.

System manager(s) and address: Director, Central Accounting Division, Food and Nutrition Service, United States Department of Agriculture, Washington, D.C. 20250 (202-447-6990), or the appropriate Regional Food Stamp Program Director at the addresses listed above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate system manager as set forth in the preceding paragraph. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to claim, date claim was filed, correspondence, etc.)

Record access procedures: An individual may obtain information as to the procedure for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate system manager listed above. The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from investigations made by Office of Investigation, audits conducted by Office of Audit, food stamp application and participation records, collateral contacts, and State agency personnel.

Systems exempted from certain provisions of the act: This material has been exempted in 7 CFR 1.23 pursuant to 5 U.S.C. 552a(k)(2) from the requirements of subsections (c)(3), (d), (G), and (H). The above system contains information received under an express or implied promise of confidentiality, or investigative techniques, processes, or procedures, the disclosure of which could be detrimental to legitimate agency functions.

USDA/FNS—4

System name: Food Stamp Recipient Refunds—USDA/FNS

System location: Fiscal Branch, Central Accounting Division, Food and Nutrition Service, United States Department of Agriculture, Room 105 West Auditors Building, Washington, D.C. 20250, and FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; San Francisco, California which covers the States of Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service."

Categories of individuals covered by the system: Individuals who request refunds from FNS of: (1) The proportionate purchase price paid for food stamps purchased but not used, or (2) The amount they have been inadvertently overcharged for their food stamps.

Categories of records in the system: (1) Form FNS-288, Request for Reimbursement for Unused Food Coupons, required documentation and signatures, as applicable, to the specific reason for the request; and issuance, required documentation and signatures, as applicable to the refund.

Authority for maintenance of the system: 78 STAT. 703 as amended; 7 U.S.C. 2011-2025; 7 CFR 271.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Establish eligibility for reimbursement to recipient or agent; (2) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; and (3) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and file cabinets at the address listed above.

Retrievability: Records are filed by date and month of payment and by name of recipient or his agent.

Safeguards: Records are kept either in locked cabinets or locked offices

Retention and disposal: Closed cases are retained for one fiscal year following the end of the fiscal year in which they are closed. Thereafter, they are transferred to Federal Records Centers and maintained for three additional fiscal years before disposal.

System manager(s) and address: Director, Central Accounting Division,. Food and Nutrition Service, United States Department of Agriculture, Washington, D.C. 20250 (202-447-6990), or the appropriate Regional Food Stamp Program Director at the addresses listed above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate system manager as set forth in the preceding paragraph. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to claim, date claim was filed, correspondence, etc.)

Record access procedures: An individual may obtain information as to the procedure for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate system manager. The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from State agency records and collateral contacts by claims reviewers.

USDA/FNS-5

System name:

Investigations of Fraud, Theft, or Other Unlawful Activities of Individuals Involving Food Stamps—USDA/FNS.

System location:

Office of the Deputy Administrator for Family Nutrition Programs, Food and Nutrition Service, United States Department of Agriculture, 3101 Park Center Drive, Room 1138, Alexandria, Virginia, 22302, and FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; San Francisco, California which covers the States of Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service.'

Categories of individuals covered by the system: Individuals who have been investigated for fraudulently obtaining food stamps, stealing food stamps or engaged in other unlawful activities in involving food stamps are included in this system of records.

Categories of records in the system: The system consists of files on individuals, including investigation reports, police reports, court records, agency reports, and claim determinations as appropriate.

Authority for maintenance of the system:

78 Stat. 703 as amended; 7 U.S.C. 2011-2029; and 7 CFR Parts 271-273.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statue, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) referral to Finance and Program Accounting Division, FNS for appropriate fiscal action; and (4) analysis of patterns, trends, and problem areas. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and in an on-line, direct access computer file at the addresses listed above.

Retrievability:

Records are indexed by name, Social Security number, State and, in the case of the manual records, by fiscal year of receipt.

Safeguards:

Manual records are kept in either locked file cabinets or locked offices. The computer discs will have a password master file access and the discs will be kept in locked filing cabinets or locked offices in a secured area.

Retention and disposal:

Manual records will be retained in active files until the end of the fiscal year following the fiscal year in which the investigations are closed. Thereafter, they are transferred to Federal Records Centers and maintained for three additional fiscal years before disposal. The computer files are to be maintained indefinitely.

System manager(s) and address:

Deputy Administrator for Family Nutrition Programs, Food and Nutrition Service, United States Department of Agriculture, Alexandria, Virginia 22302 (703-756-3026), or the appropriate Regional Food Stamp Program Director at the address listed above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the system manager as set forth in the preceding paragraph, or the appropriate Regional Food Stamp Program Director at the addresses listed above. A request for information pertaining to an individual should contain the name and address of the individual and whether it involved a complaint or has reference to a compliance review which may have been conducted.

Record access procedures: An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate system manager listed above. The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from complainants, witnesses, agency employees, and investigative personnel.

Systems exempted from certain provisions of the act: This material has been exempted in 7 CFR 1.23 pursuant to 5 U.S.C. 552a(k)(2) from the requirements subsection (c)(3), (d), (G), and (H). The above system contains information received under an express or implied promise of confidentiality, or investigative techniques, processes, or procedures, the disclosure of which could be detrimental to legitimate agency functions.

USDA/FNS—6

System name: Quality Control Subsample of Nonassistance Households Participating in the Food Stamp Program—USDA/FNS

System location: Quality Control and Evaluation Branch, Family Nutrition Programs, Food and Nutrition Service, United States Department of Agriculture, 500 12th St., S.W., Room 678, Washington, D.C. 20250 and FNS Regional Offices located in: Atlanta, Georgia which covers the States of Alabama, Florida, Georgia, kentucky, Mississipi, North Carolina, South Carolina, and Tennessee; Burlington, Massachusetts which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; Chicago, Illinois which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas which covers the States Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Robbinsville, New Jersey which covers the States of Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; San Francisco, California which covers the States of Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington.

The address of each Regional Office is listed in the telephone directory of the respective cities listed above under the heading "United States Government, Department of Agriculture, Food and Nutrition Service."

Categories of individuals covered by the system: Nonassistance households (those in which not all members are receiving public assistance) which are participating in the Food Stamp Program or those households which have been terminated from the program or denied benefits.

Categories of records in the system: The system consists of subsamples of records containing personal household circumstances and financial information originally obtained from selected samples of individual households by each State's food stamp quality control staff and validated by FNS quality control personnel.

Authority for maintenance of the system: 78 Stat. 703 as amended; 7 U.S.C. 2011-2025; 7 CFR Part 271.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Assessing the operation of State food stamp quality control system as a basis for improvement; (2) testing the validity of State quality control findings; (3) projecting national error rates; (4) identifying trends toward potential system problems and high error areas; (5) referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; and (6) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in the proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable addresses listed above.

Retrievability: Records are indexed by State and household name.

Safeguards: Records are kept in either locked filing cabinets or in locked offices.

Retention and disposal: Records are retained for one fiscal year following the end of the fiscal year in which the reviews are completed. Thereafter, they are transferred to Federal Records Centers and maintained for three additional fiscal years before disposal.

System manager(s) and address: Deputy Administrator for Family Nutrition Programs, Food and Nutrition Service, United States Department of Agriculture, Washington, D.C. 20250 (202-447-8982) or the appropriate Regional Food Stamp Program Director at the addresses listed above.

Notification procedure: An individual may request information regarding this system or records, or information as to whether the system contains records pertaining to him from the system manager as set forth in the preceding paragraph, or the appropriate Regional Food Stamp Program Director at the address listed above. A request for information pertaining to an individual should contain name, address, dates of participation in the Food Stamp Program, and date of contact by the Federal reviewer, if available.

Record access procedures: An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate system manager listed above. The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system comes primarily from participants in the Food Stamp Program and through collateral contacts by quality control reviewers to verify financial and other circumstances as they relate to the houshold's application for, or participation in, the Food Stamp Program.

USDA/FNS—7

System name: Food Service Management Company Registration System for the Summer Food Service Program for Children—USDA/FNS.

System location: Special Feeding Programs Branch, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, 201 14th Street SW., Room 3300-B, Washington, D.C. 20250.

Categories of individuals covered by the system: Included in this system are, for food service management companies applying for registration in the Summer Food Service Program for Children, past (within 3 years) and present (1) company owners, directors, officers, and (2) local officials responsible for the operation of the food preparation facilities and (3) any of the persons listed in (1) or (2) who have any relationship to any Summer Food Service Program for Children sponsor or any food service management company which participated in the Program in the last 3 years. For the purposes of this Program, relationship shall be defined as: to his knowledge he or his immediate family, partners or organization in which his immediate family or partner has a financial or other interest, or with whom he is negotiating or has any arrangements concerning prospective employment, with or without payment.

Categories of records in the system: The system consists of name and social security number (when provided) of (1) and (2) of the preceding paragraph, and name, company or sponsor name of relation, name of relations and relationship of (3) of the preceding paragraph.

Authority for maintenance of the system: 42 U.S.C. 1771

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to State agencies and Food and Nutrition Service Regional Offices, upon request, charged with the responsibility of determining registration or nonregistration of food service management companies; (2) referral to the appropriate agency, whether Federal, State or local, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (3) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; and (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and magnetic tapes.

Retrievability: Records can be retrieved by food service management company name, by number assigned to the food service management company, by an individual's social security number, and by an individual's name.

Safeguards: Records are kept in either locked filing cabinets or in locked offices. The computer tapes will have a password master file access, and the tapes will be kept in locked filing cabinets or in locked offices.

Retention and disposal: Records are maintained for two years following the year of application for registration. Therafter, they are transferred to Federal Archives and Records Centers and maintained for three additional fiscal years before disposal.

System manager(s) and address: Manager, Child Nutrition Programs, Food and Nutrition Service, United States Department of Agriculture, Washington, D.C. 20250 (202-447-8130).

Notification procedure: An individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate manager as set forth in the preceding paragraph. A request for information pertaining to an individual should contain the individual's name, and if known the name of the food service management company(s) which supplied the information pertaining to him.

Record access procedures: An individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate system manager listed above. The envelope and the letter should be marked "Privacy Act Request."

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, the reasons for contesting it, and the proposed amendment to the information.

Record source categories: Information in this system is provided by food service management companies which apply for registration in the Program and the applicable State agencies or Food and Nutrition Service Regional Offices.

USDA/FSIS—1

System name: Meat and Poultry Inspection Program—Slaughter, Processing and Allied Industries Compliance Records System, USDA/FSIS.

System location: Food Safety and Inspection Service, USDA, 14th and Independence Avenue, SW., Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals engaged in the slaughter of meat or poultry animals; or the preparation, transportation, storage, or distribution of meat or poultry products, or similar activities are included in this system of records.

Categories of records in the system: The system consists of: Investigatory files concerning alleged violations of the Federal Meat and Poultry Inspection Acts and related laws; investigatory files compiled for enforcement of provisions of the Federal Meat and Poultry Inspection Acts concerning detention or seizure of alleged violative product; correspondence, allegations, inquiries, reports of actions taken, complaints and similar records concerning alleged violations of enforcement actions; records compiled to carry out provisions of 21 U.S.C. 671 and 21 U.S.C. 467 concerning the refusal to provide or withdrawal of inspection service from unfit applicants as defined by law; includes application forms, notations of past violations, court records, and other documentation; files microfilm and computer records concerning systematic reviews conducted at the places of business of individuals covered by the records system.

Authority for maintenance of the system: 21 U.S.C. 451 et seq., and 601 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (3) Referral to the Department of Justice for the defense of suits against the United States or its officers, or for the institution of suits for the recovery of claims by the United States Department of Agriculture. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, cards, microfilm, computer printouts; and electronically on various computer media.

Retrievability: All categories of records concerning enforcement actions are cross referenced through an alphabetical name index system. Files on violations and other enforcement actions are indexed alphabetically by name and by year of violation. Printouts and microfilm records are alphabetically arranged with unique number identifiers assigned as well.

Safeguards: Records are maintained in locked offices.

Retention and disposal: Active records are maintained indefinitely. Closed cases are retired to records storage centers after 3 years unless reopened. Microfilm and computer records are maintained indefinitely. Computer printouts are destroyed after 6 months.

System manager(s) and address: Privacy Act Coordinator, USDA/FSIS, 14th and Independence Avenue, SW., Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). See 7 CFR 1.23. Individual access to these records would impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action to escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to: Privacy Act Coordinator, USDA/FSIS, 14th and Independence Avenue, SW., Washington, D.C. 20250.

USDA/FSIS—2

System name:

Common On-Line Reference for Establishments (CORE), USDA/FSIS.

System location:

Food Safety and Inspection Service, USDA, 14th and Independence Avenue, SW., Washington, DC 20250.

Categories of individuals covered by the system:

Individuals responsibly connected with the applicant for Federal meat, poultry, or import inspection: All owners, partners, officers, directors, holders or owners of 10 per centum or more of voting stock, and employees in a managerial or executive capacity in the business; regional, area, and circuit personnel of Meat and Poultry Inspection Operations; Import Inspection Office personnel of International Programs; FSIS headquarters personnel.

Categories of records in the system:

The system consists of: Names and addresses of applicants for Federal meat, poultry or import inspection and descriptive information about their business establishments (plants). The system includes the name, title, social security number, date of birth, place of birth and stock ownership (if 10 per centum or more) of all persons listed as responsibly connected with the applicant. It also includes types of operations, slaughter and processing categories, export restrictions, other names under which business will be conducted, plant types, numbers of authorized inspectors, dates of grants of inspection, types of inspection, and import information. In addition, the system contains mail management data necessary to mail USDA literature to non-establishment organizations (FSIS headquarters and field personnel) and to provide for the production of mailing labels and publication of the Meat and Poultry Inspection Directory.

Authority for maintenance of the system:

21 U.S.C. 451 et seq., and 601 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(2) In the event that material in this system indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be disclosed to the appropriate Agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order, issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer disks, magnetic tape, FSIS Form 5200-2, "Application for Federal Meat Poultry, or Import Inspection" and in computer printouts.

Retrievability:

Records are arranged by establishment number and alphabetically by name of applicant. Records are also retrievable by names of persons responsibly connected with the applicant. Establishment data in the computer are indexed by establishment number, Region, Area, and circuit; export data by country; personnel data by Region/Area/circuit; mail data by access code, literature code, or recipient code.

Safeguards:

Records are maintained in password-protected minicomputers, microcomputers, magnetic tape or locked file cabinets with attendants on duty during normal operating hours. Offices are locked after normal operating hours.

Retention and disposal:

Active records are maintained indefinitely. Computer records for withdrawn plants are retained for 3 years. Computer printouts are destroyed after use.

System manager(s) and address:

Chief, Information Systems Development and Support Section, FSIS, Room 4906, South Building, 14th Street and Independence Avenue, SW., Washington, DC 20250.

Notification procedure:

A request for information should be addressed to the FSIS Privacy Act Coordinator, 14th Street and Independence Avenue, SW., Washington, DC 20250.

Record access procedures:

Individuals who wish to gain access to or amend records pertaining to themselves should submit a written request to the Privacy Act Coordinator at the above address.

Contesting record procedures:

Same as records access procedures.

Record source categories:

Information in this system comes from the individuals to whom the records pertain.

USDA/FAS-4

System name: Foreign Service Employee Records.

System location: Foreign Agricultural Service, United States Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250.

Categories of individuals covered by the system: Foreign Service employees of the Foreign Agricultural Service.

Categories of records in the system: The system consists of official personnel files; performance records (Foreign Service ratings, development appraisal reports, and related correspondence); biographical data; career development and counseling records (including training and assignment records); records of security clearances; conflict of interest reports; recruitment and employment files; promotion and conversion files (lateral entry); retirement and annuitant files; informal grievance files; computer printouts from automated personnel system (alphabetical list and staffing patterns); reports of medical clearances; awards and leave information; health and life insurance plans; accident reports; time and attendance records; earning statements; travel vouchers; and payroll data needed to conform to all applicable laws, Government regulations and procedures, and the needs of the Agency in carrying out its personnel management responsibilities.

Authority for maintenance of the system: 5 U.S.C. 301; Foreign Service Act of 1980, FPM Chapters 293-294.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is made available to persons who have a legitimate need to review such records, as may be required in the performance of their official duties (in connection with appointments, transfers, details, promotions, training, retirements, reassignments, disciplinary or adverse actions, grievances, operations of the automated personnel/payroll systems and the preparation of the statistical reports, analyses, and other by-products of these systems).

Referral of information is made to (1) U.S. Congress and OPM for special reports; (2) accredited investigative agents of any Federal agency to carry out investigative functions; (3) authorized officials of the Department of State, Agency for International Development, U.S. International Communication Agency and Foreign Commercial Service of the Department of Commerce in connection with proposed details of Foreign Service employees or consideration by promotion boards; (4) authorized individuals of other Federal agencies, international organizations or State and local governments in cases where Foreign Service employees are being considered for detail or assignment to the agency or organizational entity concerned; (5) National Personnel Records Center and Washington National Records Center for records retirement and/or destruction; (6) private organizations, institutions or individuals to verify employment and to request record or credit checks; (7) current and former FAS employees to review their own personnel records; (8) appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation or order issued pursuant thereto; and (9) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above, except for the National Finance Center (P.O. Box 60,000, New Orleans, Louisiana) where they are maintained on computer tape and disk storage.

Retrievability: Records are indexed by name of employee and/or identification number.

Safeguards: All records containing personal information are maintained in secured file cabinets and in secured computer tape storage rooms.

Retention and disposal: Records are maintained indefinitely until employees are separated from the Foreign Agricultural Service and are then retired or transferred to a new employing agency or destroyed in conformance with appropriate General Services Administration retirement and/or destruction schedules.

System manager(s) and address: Assistant Administrator, Management, Foreign Agricultural Service, United States Department of Agriculture, 14th and Independence Avenue, S.W., Room 5095-S, Washington, D.C. 20250.

Notification procedure: A request for information should be addressed to the Assistant Administrator, Management, Foreign Agricultural Service (address above).

Record access procedures: Individuals who wish to gain access to or amend records pertaining to themselves should submit a written request to the Assistant Administrator, Management, Foreign Agricultural Service (address above).

Contesting record procedures: Same as record access procedures.

Record source categories: Information in this system comes from the employee or former employee, employment applications, employee's supervisors, colleges and universities, Department of State Foreign Service Institute and Office of Medical Services, USDA Office of Security, overseas administrative/personnel officers, and other officials involved in personnel and payroll.

USDA/FS—1

System name: Appeals and Administrative Reviews, USDA/FS

System location: Forest Service Headquarters in Washington, D.C., the 9 Regional Offices, 121 Forest Supervisor Offices, 673 District Ranger Offices, 10 Experiment Station Offices and Two State and Private Area Offices. The address for the Headquarters is Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue SW., Washington, D.C., 20250. The addresses of all other Forest Service offices may be found in 36 CFR 200.2, Subpart A, or in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Any person who has appealed or formally requested review or reconsideration of a decision or action by a Forest Service officer in any contract involving the Forest Service. Does not include personnel matters which are excluded. The appeal, administrative review, or reconsideration request may have been submitted directly to an officer of the Forest Service or through the Board of Forest Appeals.

Categories of records in the system: The record includes information regarding the circumstances of the matter under appeal. This may involve information of the appellant, his use of National Forest lands, effects of the decision being appealed on his activities, and other information supplied by appellant on is behalf. Information is also provided by the Forest Service Officer whose decision is under appeal, review, or reconsideration.

Authority for maintenance of the system: 5 U.S.C. 22 and 301; 7 U.S.C. 1011(f); 15 U.S.C. 714(b)(g) and (h); 16 U.S.C. 551; 40 U.S.C. 486(c); 7 CFR 24; 36 CFR 211.20 thru 211.37

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Vertical file folders

Retrievability: Records are maintained under file designation 1570, identified by the appellant's name, date of appeal, review, or reconsideration request, and/or Forest Service Docket Number (if case docketed by the Board of Forest Appeals).

Safeguards: Normal security for routine file material. Locked office of file room.

Retention and disposal: Upon final decision case is closed. Transferred to closed files at end of fiscal year. Cases reaching National level are retained 25 years, Regional level is 5 years, and other levels maintained 3 years. Transfer to Federal Records Center after 3 years.

System manager(s) and address: Chief, Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250 or the appropriate Regional Forester, Forest Supervisor, or District Ranger at the address listed above.

Notification procedure: Address inquiries to the office at which the individual filed his original notice of appeal or request for review or reconsideration. Identifying information should include name, date of appeal or request, Forest Service Docket (if applicable), and date of decision and by whom issued (if applicable).

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information obtained from appellant. On his behalf, witnesses or experts solicited by appellant, Forest Service Officers, and witnesses and technical experts solicited by Forest Service.

USDA/FS—2

System name: Blaster's Certification Program, USDA/FS.

System location: Forest Service Regional Headquarters and/or Forest Supervisor Headquaters where individual is or was employed. The addresses for these office are listed in 36 CFR Part 200, Subpart A.

Categories of individuals covered by the system: Forest Service employees who have applied for a Forest Service Blaster's certificate are included in this system of records.

Categories of records in the system: This system consists of complete files on individual applications for the Forest Service Blaster's certificate including examination results, application form (FS 6100-24), and certificate issued or revoked.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60 and 29 CFR 1926.901

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard Forest Service Form 6100-24 and supporting documents.

Retrievability: System is indexed by name and organizational location.

Safeguards: Records are maintained in standard filing system and are available only to authorized Forest Service personnel. Offices are locked during non-working hours.

Retention and disposal: Records are maintained for the duration of individual's employment and thereafter filed in the Federal Records Center and disposed of in accordance with the Agency's approved retension schedule.

System manager(s) and address: Regional Forester and/or Forest Supervisor in charge of the unit where the individual is or was employed.

Notification procedure: Any employee (past or present) may request information as to whether or not the system contains records pertaining to him from the appropriate Regional Forester or Forest Supervisor. A request for information should be in writing and should include the individual's full name and address; approximate date of application and place of employment at that time.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from written, oral, and applied examinations.

USDA/FS-3

System name:

USDA/FS-3, Uniform Allowance System.

System location:

The records in this system are maintained at the USDA, Forest Service Headquarters, P.O. Box 2417, Washington DC 20013; Regional Offices; Forest Supervisor's Offices; National Finance Center, P.O. Box 600000, New Orleans, Louisiana 70160; and Contractor's Office. The addresses of Forest Service Regional Offices and Forest Supervisor's Offices may be found in 36 CFR 200.1, Subpart A, or in the telephone directory of the applicable locality under the heading United States Government, Department of Agriculture, Forest Service. The address of the Contractor may be obtained by writing to Forest Service Headquarters at the above listed address.

Categories of individuals covered by the system:

All Forest Service employees entitled to and receiving allowances for uniforms required in their work.

Categories of records in the system: This system consists of complete files on advances, accruals, and payments to individuals within the Forest Service for uniform allowances. Information in these files will include the employee's name, social security number, employee location, allowance category(ies), year to date amount of sales, backorders, management code, and current status (active or terminated).

Authority for maintenance of the system:

5 U.S.C. 301, 5 U.S.C. 5901 through 5903, and 7 CFR 2.75.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information from this system of records developed by the Contractor and the National Finance Center is for Forest Service internal processing purposes in connection with the uniform allowance program.

(2) Disclosure to the Department of Justice for use in litigation when USDA, or any component thereof; or any employee of USDA in his or her official capacity; or any employee of USDA in his or her individual capacity where the Department of Justice has agreed to represent the employee; or the United States, where USDA determines that litigation is likely to affect USDA or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by USDA to be relevant and necessary to the litigation, provided, however, that in each case, USDA determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear, when USDA or any component thereof; or any employee of USDA in his or her official capacity; or any employee of the USDA in his or her individual capacity where USDA has agreed to represent the employee; or the United States, where USDA determines that litigation is likely to affect USDA or any of its components, is a party to litigation or has an interest in such litigation and USDA determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, USDA determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(4) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute, or by rule, regulation, or order issued pursuant thereto;

(5) To answer Congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tapes, disk, or other format, as well as on input forms prepared by covered employees which may be stored in file folders.

Retrievability:

Records are indexed by name and social security number of individual employees.

Safeguards:

Records are kept on magnetic tape and disk files. They are kept in a locked computer room and tape library which can only be accessed by authorized personnel utilizing a special access code. File folders are kept in locked file cabinets or in secure areas with access to authorized personnel only.

Retention and disposal:

Records are retained or disposed of in accordance with the retention periods contained in Forest Service Handbook 6209.11, Records Management Handbook.

System manager(s) and address:

Director, Personnel and Civil Rights Staff, USDA-Forest Service, P.O. Box 2417, Washington, DC 20013.

Notification procedure:

Individuals may request information regarding this system of records, or information as to whether the system contains records pertaining to them from the system manager listed in the preceding paragraph. A request for information should contain name, address, and particulars involved (e.g., the date of action giving rise to the inquiry, complaint, etc.).

Record access procedures:

Individuals may obtain information as to the procedures for gaining access to records in the system which pertain to them by contacting the system manager as set forth in the preceding paragraph. The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures:

Use the same procedures as for record access.

Record source categories:

Information in this system comes primarily from individuals who request payments of uniform allowances. Information may also be furnished by the employee's supervisor.

USDA/FS-4

System name: Certification of Engineering Personnel, USDA/FS.

System location: Forest Service Headquarters Offices of the Chief, Regional Foresters, and Forest Supervisors as listed in 36 CFR 200.2, Subpart A, where individual is or was employed.

Categories of individuals covered by the system: At the Forest Service employees who have taken examinations in one or more of the certification categories.

Categories of records in the system: Consists of the name, social security number, work location, written and oral examination results, and certificates issued for each Forest Service employee defined in the preceding paragraph.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Examination results and supporting documents.

Retrievability: Manual system is indexed by name, social security number, and location.

Safeguards: Records are maintained in standard filing system. The records are located in offices that are locked during non-office hours. They are available only to authorized personnel.

Retention and disposal: Records are maintained for the duration of individual's employment and thereafter filed in the Federal Records Center in accordance with standard procedures.

System manager(s) and address: Director of Engineering, Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, D.C., 20013, or the appropriate Regional Forester, or Forest Supervisor in charge of the unit where the individual is or was employed.

Notification procedure: Employees (past or present) may request information as to whether or not the system contains records pertaining to them from the appropriate system manager listed in the preceding paragraph. A request for information should be in writing and should include the individual's full name, address, social security number, approximate date of last certification or examination, and place of employment at that time.

Record access procedures: Use same procedure as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from written, oral, and applied examinations.

USDA/FS—5

System name: Certified cost Collectors, USDA/FS.

System location: Office of the Regional Forester, Forest Service, 630 Sansome St., San Francisco, CA, 94111.

Categories of individuals covered by the system: Forest Service employees who have completed the necessary training to qualify as Cost Collectors.

Categories of records in the system: Name and date of individual's certification.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management, Forest Service, 630 Sansome St., San Francisco, CA, 94111.

Notification procedure: Any employee may request information regarding the system of records or information as to whether the system contains records pertaining to him from the System Manager. A request for information should contain name and date of certification.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Forest Service records of accounting experience and training obtained from information in the employee's personnel file.

USDA/FS—6

System name: Certified Scalers, USDA/FS.

System location: Headquarters of 9 Regional Offices and 121 Forest Supervisor Offices. The addresses are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Forest Service employees who have completed the necessary training to qualify.

Categories of records in the system: Name, grade, date of certification, and organization. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management in each of the 9 Regional Offices and 121 Forest Supervisor Offices.

Notification procedure: Any employee may request information regarding the system of records or information as to whether the system contains records pertaining to him from the System Manager. A request for information should contain the name, grade, date of certification, and organization.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Forest Service records of scaling experience and training obtained from information in the employee's personnel file and check scale records filed in the office.

USDA/FS—7

System name: Certified Silviculturists, USDA/FS.

System location: At headquarters of nine Regional Offices as listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Forest Service employees who have completed the necessary training to qualify.

Categories of records in the system: Name, grade, date of certification, and organization. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management in each of the nine Regional Offices referred to above.

Notification procedure: Any employee may request information regarding the system of records or information as to whether the system contains records pertaining to him from the System Manager. A request for information should contain the name, grade, and date of certification, and organization.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Forest Service records of silviculture experience and training obtained from information in employee's personnel file.

USDA/FS-8

System name:

USDA/FS-8, Check-Before-Using Pilot List.

System location:

The records in this system are maintained at the USDA, Forest Service Headquarters, P.O. Box 96090, Washington, DC, 20090-6090; and Regional Offices as listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system:

Pilots who have performed unsatisfactorily while working under a federal contract for services.

Categories of records in the system:

This system consists of the pilot's name, social security number, FAA pilot's license number, and the Region or area which reported the unsatisfactory performance.

Authority for maintenance of the system:

5 U.S.C. 301, and E.O. 9397.

Purpose(s):

The Department of Agriculture uses information in this system of records to identify pilots who have performed unsatisfactorily while working under a federal contract for services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The Department of Agriculture (USDA) may disclose information in this system of records to the Department of Justice (DOJ) for use in litigation, if USDA, or any component thereof, determines that the use of such records by DOJ is relevant and necessary to the conduct of the litigation and that disclosure of the information to DOJ is compatible with the purpose(s) for which the records were collected where any of the following are parties to the litigation or have interests that would be affected by the litigation.

(a) USDA, or any component thereof;

(b) Any USDA employee acting in an official capacity;

(c) Any USDA employee acting in an individual capacity whom DOJ has agreed to represent; or

(d) The United States, if USDA determines that the litigation is likely to affect USDA or any of its components.

(2) USDA may disclose information in this system of records in a proceeding before a court or other adjudicative body before which USDA is authorized to appear, if USDA or any component thereof determines that disclosure of the records to the court or other adjudicative body is a use that is compatible with the purpose(s) for which the records were collected, where USDA determines that the information is relevant and necessary to the conduct of the litigation and any of the following are parties to the proceeding or have interests that would be affected by the proceeding:

(a) USDA, or any component thereof;

(b) Any USDA employee acting in an official capacity;

(c) Any USDA employee acting in an individual capacity whom USDA has agreed to represent; or

(d) The United States, if USDA determines that the litigation is likely to affect USDA or any of its components.

(3) When available information indicates a violation or potential violation of civil, criminal, or administrative law arising by statute or rule, regulation, or order, USDA may refer any record within this system to the appropriate Federal, State, local, or foreign agency charged with the responsibility of investigating or prosecuting a violation of law or of enforcing or implementing a statute, or rule, regulation, or order issued pursuant thereto.

(4) USDA may disclose information from the record of an individual contained in this system in response to an inquiry from a congressional office made at the request of that individual.

(5) If USDA deems it desirable or necessary in order to determine whether particular records are required to be disclosed under the Freedom of Information Act, the Department may disclose the records to the Department of Justice for the purpose of obtaining its advice.

(6) USDA may disclose information from this system of records in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter at issue in a pending judicial or administrative proceeding.

(7) USDA may refer information from this system of records to the appropriate officials of the Department of the Interior, Office of Aircraft Services, for their use in monitoring pilot proficiency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tapes, disk, or other format, as well as file folders.

Retrievability:

Records are indexed by name, FAA pilot's license number, or social security number.

Safeguards:

All records containing personal information are maintained in secured file cabinets and secured computer rooms or tape library which can only be accessed by authorized personnel.

Retention and disposal:

Records are retained or disposed of in accordance with the retention periods contained in Forest Service Handbook, FSH 6209.11, Records Management Handbook.

System manager(s) and address:

Director, Fire and Aviation Management, USDA Forest Service, P.O. Box 96090, Washington, DC 20090-6090, and the Regional Air Officers at Regional Offices as listed in 36 CFR 200.2, Subpart A.

Notification procedure:

Individuals may request information regarding this system of records, or information as to whether the system contains records pertaining to them from the system manager listed in the preceding paragraph. A request for information should contain name, address, FAA pilot's license number, previous employer while performing services for the agency, and particulars involved (for example, the date of action giving rise to the inquiry or complaint).

Record access procedures:

Individuals who wish to gain access to or amend records pertaining to themselves should submit a written request to the system manager as set forth in the preceding paragraph. The envelope and letter should be marked "PRIVACY ACT REQUEST."

Contesting record procedures:

Same as records access procedures.

Record source categories:

Information in this system comes from Regional Aviation Officers, Contracting Officers, and pilot inspectors.

USDA/FS—9

System name: Employee Assistance Program CONCERN, USDA/FS.

System location: The records in this system are maintained in the Forest Service Headquarters in Washington, D.C. and in nine Regional Offices, ten Experiment Station Offices, and the Forest Products Laboratory. The addresses of these offices are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Any employee with problems affecting their job performance.

Categories of records in the system: Documentation of referral; notes supervisory or employee discussions; therapy progress records.

Authority for maintenance of the system: 5 U.S.C. 7901 and 42 U.S.C. 4551.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system is referred to the professional counselor working with the employee. Information is used only as a background for counseling or advising the employee and/or work supervisor. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are indexed by name of employee and/or program number.

Safeguards: Folders are maintained in locked file cabinet or drawers. Only Program Advisor has access to information.

Retention and disposal: Record is maintained through any treatment and/or rehabilitation therapy, and destroyed upon completion of treatment by tearing up or shredding devices, if available.

System manager(s) and address: CONCERN Program Administrator, Forest Service, U.S. Department of Agriculture, 12th and Independence, S.W., Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the CONCERN Program Coordinator for the appropriate Region or Station, the Forest Products Laboratory, or the Washington Office. If the specific location of the record is not known, the individual should address his request to the System Manager, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain the employee's name, address and the unit of which he/she works.

Record access procedures: To gain information on procedures of gaining access, employee may call CONCERN telephone numbers shown in published brochure or posters.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in the system comes from confidential discussions with employee and/or supervisor, discussions with the professional counselor on his report on employee progress.

USDA/FS—10

System name: Employee Development Record, USDA/FS.

System location: Records are maintained at all official duty stations of Forest Service (FS) employees. Addresses of the individual offices are listed in the telephone directories for the city or town in which they are located under the heading United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: All Forest Service employees with a permanent appointment.

Categories of records in the system: A Biographical Section referring to the education, experience, physical capacity and career desires of the employee. Summary sheets or forms such as SF-171, Employee Performance Appraisals, etc., and an ADP printout, if available. A Special Qualification Section containing information on specialized qualifications of the employee. Examples of such material are driver-qualification records, blasting or other skill certificates, letters of commendation, employee suggestions, special requests from the employee, and records of special assignments on committees, boards, etc. A Development Section containing the current individual Employee Development Plan and other records of training such as copies of AD-281's reports of training meetings attended, copies of previous individual development plans and records of details and other training assignments, and copies of accident and injury reports.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Responding to reference checks by potential employers of supervisors, and referral to selection groups considering candidates for special training.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders are kept by the immediate supervisor usually in his desk or immediate office.

Retrievability: By name.

Safeguards: Records are kept in a locked room or a locked file cabinet.

Retention and disposal: Maintained as long as an employee is under permanent appointment. Folder is sent through channels to the appointing office when an employee is transferring to another location in the Forest Service. When an employee is separated, the material in the Employee Development Record is mutilated and destroyed.

System manager(s) and address: Director, Personnel Management Staff; Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, S.W., Washington, D.C. 20250.

Notification procedure: Any individual may request information concerning himself from his present or former immediate supervisor at the official duty station shown on his latest employment action.

Record access procedures: Immediate supervisor, or unit head or Personnel Officer of a District, Forest, Region, Research Project, Research Station, Area, or Washington Office.

Contesting record procedures: Same as for requesting Access.

Record source categories: Information in this folder comes from the employee and his supervisor.

USDA/FS—11

System name: Employee Emergency Information, USDA/FS.

System location: Records are maintained at all official duty stations of Forest Service (FS) employees. Addresses of the individual offices are listed in the telephone directories for the city or town in which they are located under the heading United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: All Forest Service employees.

Categories of records in the system: This is an optional system which some offices may choose not to use. The record contains the employee's home address and phone, and the name, address and phone of the person designated by the employee to be contacted in case of emergency. Some offices also include the name and phone of the employee's physician and special health information such as blood type, allergy or disease which may affect the kind of emergency treatment given.

Authority for maintenance of the system: 5 U.S.C. 301, 7 CFR 2.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in work supervisor's office.

Retrievability: Records are indexed alphabetically by name of employee.

Safeguards: Records are kept in a locked office.

Retention and disposal: Card record is updated at least semi-annually or more often when there is a change in information. Record is destroyed when employee transfers, retires, or is separated.

System manager(s) and address: Head of the Operating Office at the employee's duty station.

Notification procedure: Individual employee initally prepares and makes revision to the record. Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to her/him from the System Manager at the address listed above.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes exclusively from the employee.

USDA/FS—12

System name: Fire Qualification and Experience Records, USDA/FS

System location: Records are presently kept by the respective Regional Office and Forest Supervisor's Office where the individual is presently employed. The records are currently being entered into an automatic data processing system at the Fort Collins Computer Center, Fort Collins, CO, 80521.

Categories of individuals covered by the system: Forest Service employees with sufficient fire experience to qualify for supervisory positions or non-supervisory crews.

Categories of records in the system: The system contains a record of the actual fire experience, fire related training received, age, physical condition, training needed and an evaluation of fire overhead positions in which he has been deemed qualified to perform. An evaluation of his performance may also be included.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60; 16 U.S.C. 551.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disseminated to Federal, State and local agencies involved in wildland fire protection activities, including but not limited to the Forest Service, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, State Forestry Organizations, and Rural Fire Departments, so that the individuals and their assigned fire crews can be called upon for emergency duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are currently stored on file cards at each respective Regional Office and Forest Supervisor's Office. An ADP system is being devised and all records will be placed on magnetic tape at Fort Collins Computer Center.

Retrievability: The system is currently indexed by the individual's last name, but it will also be cross-referenced by social security number when it is placed in the ADP system.

Safeguards: The records do not contain any information considered to be of a confidential or personal nature, therefore, they are kept in a general file and in an ADP storage system without access restrictions.

Retention and disposal: The records are kept for the entire employment period of the individual, which could be up to 35 years, or until he is unable to perform fire related work due to health or lack of current experience or training.

System manager(s) and address: The Regional Forester, Forest Supervisor, or his designated representative, at appropriate office where the individual is employed.

Notification procedure: An employee can obtain the information from the Supervisor's Office or Regional Office under which he is or had been employed. If the specific location of the record is not known, the individual should direct his request to the Director of Fire Management, in the Regional Office of the respective geographic area where he was employed. A request for information pertaining to an individual should contain name, social security number, place and period of employment, and position held.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: The information in this system comes primarily from the individual, from other in-service documents, or from supervisory personnel.

USDA/FS—13

System name: Geometronics Skills Inventory, USDA/FS.

System location: This system of records is maintained by the Director of Engineering, Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250, the Fort Collins Computer Center, 3525 East Mulberry St., Fort Collins, CO 80521, the Geometronics Service Center and Regional offices. The addresses for the Regional Headquarters offices are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Forest Service employees who are professional or para-professional and are assigned to Geometronics activities.

Categories of records in the system: This system contains the series, grade, and skills of each Forest Service employee who is identified by the preceding paragraph.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Skill data is stored on the FCC computer on magnetic tape and Section X of the Geometronics annual reports.

Retrievability: The system is indexed by organizational unit, name, grade, series, or key word for a particular skill.

Safeguards: Records are maintained in standard filing systems and on mag-tape. They are available only to authorized personnel. The buildings are locked when unoccupied.

Retention and disposal: Records are maintained for the duration of the individual's employment and purged from the system.

System manager(s) and address: Director of Engineering, Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250, the Director of Geometronics Service Center, and the appropriate Regional Forester, at the addresses specified above.

Notification procedure: Any Forest Service employee (past or present) may request information as to whether or not the system contains records pertaining to him from the appropriate system manager listed in the preceeding paragraph. Request for information should be in writing. The request should include the individual's name, address, and his organizational unit.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from Section X of the Geometronics Annual Report and Supervisory evaluation of the indivudual as recorded in the employee's personnel folder.

USDA/FS-14

System name:

Grazing Permittees, Individual, National Forest System, USDA/FS.

System location:

The records in this system are maintained in the Regional Forester's office for grazing permittees with special limits, in the headquarters offices of the Forest Supervisors for all permittee records, and offices of District Rangers for duplicate records of those kept by Forest Supervisors. Records are also stored on magnetic tape at the Fort Collins Computer Center. The addresses for Regional Foresters and Forest Supervisors are listed in 36 CFR 200.2, and addresses for District Rangers are in the telephone directory of the applicable locality under the heading U.S. Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system:

Parties who hold permits to graze livestock on Forest Service administered lands are included in this system of records.

Categories of records in the system:

The system contains information on names and post office addresses of permittees; number, kind, and brands of livestock owned, acres, by kind, of land owned which is declared as base property; number and kinds of livestock permitted; race and sex of permittee; type of permits, periods of use, grazing allotments (areas) involved, and whether or not an escrow waiver of term permit privileges exists. Also included are acres of land owned or leased in addition to base property, tons of dry feed produced or purchased, Bureau of Land Management permits held by Forest Service permittees (number and kind of livestock, periods of use), names of other parties who own an interest in permitted livestock, identification of other grazing permits on National Forest System lands in which the permittee holds an interest. For private land permits, system identifies owned or leased property offered as a basis for grazing permits, specifying legal subdivision, section, township, range, and number of acres.

Authority for maintenance of the system:

5 U.S.C. 301, 36 CFR 222.3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to commercial collection contractors for the purpose of collecting delinquent debts as authorized by 31 U.S.C. 3718. Disclosure of the individual's name; address; taxpayer identification number (SSN), and other information necessary to establish the identity of the individual; the amount, status, and history of the claim; and the agency or program under which the claim arose may be made to a consumer reporting agency as authorized by 31 U.S.C. 3711f if a debt which arose under the terms of a permit remains delinquent for more than 60 days. Such disclosures may include taxpayer mailing addresses obtained from IRS as authorized by 26 U.S.C. 6103(m).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on magnetic tape.

Retrievability:

Records in file folders are indexed by name of permittee; records on magnetic tape are retrievable by name, by identification number assigned by Forest Supervisor, characteristics of permittee, or type of grazing use.

Safeguards:

Records are kept in locked government offices, magnetic tape files are available only to persons having authorized access codes.

Retention and disposal:

Records are maintained in current file while permit is active, transferred to closed files for 3-year period following cancellation, and then sent to Federal Records Center for permanent retention.

System manager(s) and address:

Director of Range Management, USDA-Forest Service, P.O. Box 2417, Washington, D.C. 20013; and/or the appropriate Regional Forester or Forest Supervisor.

Notification procedure:

Any party may request information as to what the system contains pertaining to himself/herself from the appropriate System Manager. If specific locations are known, requests should be made to the Forest Supervisor involved.

Record access procedures:

Use the same procedure as for requesting Notification.

Contesting record procedures:

Use the same procedure as for requesting Notification.

Record source categories:

Information in the system comes from individual grazing permittees, or grazing associations, and from Forest Service records concerning grazing allotments and permitted livestock. Race and sex of permittee is included by District Ranger based on observation.

USDA/FS—15

System name: Manpower Programs, USDA/FS

System location: The records for this system are located in Forest Service offices out of which enrollees worked. The addresses of these offices are the same as listed for the Appeals and Administrative Review system described above.

Categories of individuals covered by the system: Persons performing work for the Forest Service but not employed by the agency. Includes volunteers on the National Forests, persons sponsored by other organizations under the Comprehensive Employment and Training Act, and persons under employment and/or training programs, such as College Work Study, who are assigned to the Forest Service.

Categories of records in the system: File may contain any of a variety of documents relating to the enrollee, such as correspondence about the indvidual, application form, timekeeping records, emergency notification data, driver qualification record, receipt for property issued, compensation for injury forms, performance evaluation, and other materials.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR Part

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Forest Service officials for all necessary purposes pertaining to the individual's work for the Forest Service. This may include reporting time worked and other information to the sponsoring organization, providing employment confirmation and recommendations to other organizations, and data to the Office of Worker's Compensation Programs in the event of a compensation for injury claim. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents are maintained in regular file folders.

Retrievability: Stored alphabetically by name of person.

Safeguards: Kept in locked cabinets or locked offices.

Retention and disposal: Files are destroyed 2 years after the person has ceased to perform work for the Forest Service unless they become part of another system (such as Official Personnel Folder or Compensation for Injury Claim) which is governed by other authorities.

System manager(s) and address: Director, Division of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, DC, 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him, from the organizational unit for which he performed work. A request for information pertaining to an individual should contain the name, address, dates when work was performed, program under which enrolled, and location where work was performed.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from the individual himself, the sponsoring organization, work supervisors, and other Forest Service officials.

USDA/FS—16

System name: Mineral Lessees and Permittees, USDA/FS

System location: At the Forest Service headquarters offices of the Chief, Regional Foresters, and Forest Supervisors as listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Parties who have applied for or hold mineral leases or permits issued by the Bureau of Land Management or the Forest Service covering National Forest System lands.

Categories of records in the system: The system consists of inter- and intra-agency, Secretarial, Presidential and Congressional correspondence, leases, permits, sale contracts, environmental reports, mineral evaluations, operating plans, reclamation plans, and pleadings.

Authority for maintenance of the system: 16 U.S.C. 520, and 30 U.S.C. 181, 351 and 601.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law or enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by rule, regulation or order issued thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by the name of the individual lessee, permittee, or purchaser.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Watershed and Minerals Area Management, Forest Service, U.S. Department of Agriculture, Washington, DC 20250.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager. A request for information pertaining to an individual should contain name, address, State in which the lease, permit, or sale exists, and identification number, if any.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes from the records developed during the processing of applications, evaluations made course of lease or permit, and from data furnished by the individual.

USDA/FS-17

System name:

Mineral Operators, USDA/FS.

System location:

At the Forest Service headquarters office of the Chief, Regional Foresters, and Forest Supervisors as listed in 36 CFR Part 200, Subpart A.

Categories of records in the system:

The system consists of inter- and intra-agency, Secretarial, Presidential and Congressional correspondence, notices of intention to operate, operating plans, reclamation plans, mineral evaluations, environmental reports and pleadings.

Authority for maintenance of the system:

16 U.S.C. 478, 486, 518, 551; 36 CFR Part 228.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law or enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by rule, regulation, or order issued thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding or which is sought in the course of discovery. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to commerical collection contractors for the purpose of collecting delinquent debts as authorized by 31 U.S.C. 3718. Disclosure of the individual's name; address; taxpayer identification number (SSN), and other information necessary to establish the identity of the individual; the amount, status, and history of the claim; and the agency or program under which the claim arose may be made to a consumer reporting agency as authorized by 31 U.S.C. 3711f if a debt which arose under the terms of a permit remains delinquent for more than 60 days. Such disclosures may include taxpayer mailing addresses obtained from IRS as authorized by 26 U.S.C. 6103(m).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by the name of the individual operator.

Safeguards:

Records are kept in a locked office.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Director, Minerals and Geology Management, Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, DC 20013.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him/her from the System Manager listed above. A request for information pertaining to an individual should contain name, address, and State in which mineral operations are located.

Record access procedures:

Use same procedures as for requesting Notification.

Contesting record procedures:

Use same procedures as for requesting Notification.

Record source categories:

Information in this system is provided by the individual, agency staff personnel, and other organizations.

Systems exempted from certain provisions of the act:

Parties who have filed operating plans or notices of intention to operate under authority of the 1872 mining law, or who intend to exercise mineral rights pursuant to mineral reservations on National Forest System lands.

USDA/FS—18

System name: Mining Claimants, USDA/FS.

System location: At the Forest Service headquarters offices of the Chief, Regional Foresters, and Forest Supervisors as listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Parties who have filed or hold mining claims on public domain National Forest System lands.

Categories of records in the system: The system consists of inter- and intra-agency, Secretarial, Presidential, and Congressional correspondence, reports of mineral examination, and pleadings.

Authority for maintenance of the system: 30 U.S.C. 22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the appropriate agency, whether Federal State local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by rule, regulation or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by the name of the individual claimant.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Watershed and Minerals Area Management, Forest Service, U.S. Department of Agriculture, Washington, DC 20250.

Notification procedure: Any individual may request information regarding this system of records or informaion as to whether the system contains records pertaining to him from the System Manager. A request for information pertaining to an individual should contain name, address, and State in which mining claims are located.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system is provided by the individual, agency staff personnel, and other organization.

USDA/FS—19

System name: Person Interested in Forestry and Related Programs, USDA/FS.

System location: All Forest Service field locations. Addresses of Forest Service offices are listed in the telephone directories of the respective cities under the heading United States Government, Department of Agriculture Forest Service.

Categories of individuals covered by the system: Persons in communications, industry, conservation, elected office, and communities who are known (or expressed) to have an interest in obtaining up to date information about Forest Service activities in forestry or natural resource related matters.

Categories of records in the system: Record includes name, address, and kind of Forest Service activities and programs, i.e., wood, forage, water, recreation, wildlife, land use planning, wilderness, etc., in which the individual has demonstrated a special interest.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Keep interested persons informed concerning current forestry or natural resource elated activities. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cards, folders, computer.

Retrievability: Indexed by name of individual for whom address is written.

Safeguards: File cabinets.

Retention and disposal: Retained as long as there is a current address or evidence of continuing interest in forestry and natural resource related matters.

System manager(s) and address: Chief, Forest Service, U.S. Department of Agriculture, 12th and Independence, S.W., Washington, DC 20250 or responsible line officer at each field unit.

Notification procedure: An individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from any Forest Service office, with the one in proximity to requester's home address most likely.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Respondents on public involvement issues, meetings, hearings, conversations, correspondence, telephone, and published directories.

UDSA/FS—20

System name: Public Correspondence Concerning Timber Management, USDA/FS.

System location: Records in this system are maintained by the Director of Timber Management, Forest Service, U.S. Department of Agriculture, 12th and Independence Ave., SW., Washington, D.C., 20250.

Categories of individuals covered by the system: Individuals who correspond with the Washington Office of the Forest Service regarding timber management affairs.

Categories of records in the system: Contains the writer's name, who the original letter was addressed to, subject matter, record of final disposal of letter, including author of response and date of response.

Authority for maintenance of the system: 7 U.S.C. 1010-1031a, 16 U.S.C. 460, 471-594, 616, 694, and 1131-1136; and 33 U.S.C. 701.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a data terminal in a locked room.

Retrievability: Records are indexed by name of individual correspondent.

Safeguards: Records are kept in a data terminal in a locked room.

Retention and disposal: Records are retained in the data base for 1 year. An annual printout is then prepared and stored in a file.

System manager(s) and address: Director of Timber Management, Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Notification procedure: Any individual may request information from this system, or information as to whether the system contains records pertaining to himself from the System Manager.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information is obtained from letters addressed directly to the Forest Service, Division of Timber Management or referred to it by others for reply.

USDA/FS—21

System name: Public Involvement Respondents on Forest Service Activities, USDA/FS.

System location: Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the 9 Regional Offices, 123 Forest Supervisor Office, and 673 District Ranger Offices. The address for the Headquarters is Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, D.C. 20013; the address for Regional Foresters and Forest Supervisors are listed in 36 CFR 200.2, Subpart A; and addresses for District Rangers are in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Volunteer respondents in public involvement efforts related to natural resource management issues.

Categories of records in the system: May include one or more elements of correspondence, news clippings, questionnaires, response forms, summary lists, oral comments.

Authority for maintenance of the system: Executive Order No. 11514, March 5, 1970, and 42 U.S.C. 4321.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

By issue on published documents; keysort cards; magnetic tape; punched cards; original correspondence; microfilm.

Retrievability: By issues.

Safeguards: File cabinets.

Retention and disposal: Records are retained for 2 years after the decision is made and then destroyed.

System manager(s) and address: Director, Public Information and Involvement, Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, D.C. 20013, or the appropriate Regional Forester, Forest Supervisor, or District Ranger at the addresses specified under Location above.

Notification procedure: Any Forest Service field office or the WO, where the respondent gave or mailed comment or any Forest Service office to which such comments might have been sent for review or analysis. Identifying information should be by public involvement issue and approximate year.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Respondents voluntarily give the information to agency in meetings, hearings, and by correspondence.

USDA/FS—22

System name: Sawtooth National Recreation Area Certifications, USDA/FS.

System location: Headquarters, Sawtooth National Recreation Area, Ketchum, ID, 83340

Categories of individuals covered by the system: Any person who has requested a certification from the Area Ranger concerning use of private lands within the Sawtooth National Recreation Area.

Categories of records in the system: Includes an application for Certification form and supplemental information provided by the appellant. Information obtained by the Area Ranger and staff may also be included. The data will describe the applicant's privately owned land, his plans for the land, and other information relating to the effect of the applicant's request on NRA resource values and objectives.

Authority for maintenance of the system: 5 U.S.C. 301; 36 CFR 292.14-292.16

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Vertical file folders.

Retrievability: Files are maintained under 5400 designation, identified by the applicant's name, date of application, and sequential application number.

Safeguards: Normal security for routine file material. Locked office or file room.

Retention and disposal: Permanent.

System manager(s) and address: Area Ranger, Sawtooth National Recreation Area, Ketchum, ID, 83340.

Notification procedure: Any individual may request information regarding this system of records or information as to whether this system contains records by writing to the Area Ranger, Sawtooth NRA. Identifying information should include the individual's name, date of certification application, and application number.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information obtained from applicant, experts or consultants acting on behalf of applicant, Area Ranger and Staff through field investigation, county records, and experts and consultants solicited by Forest Service.

USDA/FS—23

System name: Skill Needs Inventory Program (R-6), USDA/FS.

System location: This system of records is maintained by the Forest Service Headquarters Office of Region 6 at 319 S.W. Pine St., Portland, OR, 97208, the Fort Collins Computer Center, 3825 East Mulberry St., Fort Collins, CO, 80521, and the Region 6 Forest Supervisor offices. The addresses for Forest Supervisors Offices are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: System involves Region 6 Forest Service employees who have permanent full time or when-actually-employed appointments.

Categories of records in the system: The system consists of a skills inventory written and oral examination results, certificates issued, and training requirements for each Forest Service employee defined under category of individuals.

Authority for maintenance of the system: 5 U.S.C 301; 7 CFR 2.60

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data is stored on magnetic tapes and on FS-6100-2 (Employee Career Development Plan) and AD-281 (Request, Authorization and Record of Training) forms.

Retrievability: Data on individual is indexed by Social Security Number. Existing skilis and skill needs are indexed by a numeric series code which converges for an alpha readout. Data is retrieved by computer terminals.

Safeguards: When an employee leaves the Forest Service, data concerning him is erased from the tape, or transferred to another Government Agency upon written request by the individual stating his name, Social Security Number, address, and last Agency location. Access to data on the computer is limited to those authorized and having an assigned access code for data only within their unit. The buildings are locked when not occupied.

Retention and disposal: Records are maintained for the duration of the individual's employment and thereafter filed in the Federal Record Center in accordance with approved retention schedules. Entries on magnetic tape are eliminated when the employee leaves the organization.

System manager(s) and address: Region 6 Regional Forester, 319 S.W. Pine St., Portland, OR 97208 or the appropriate Region 6 Forest Supervisor.

Notification procedure: An employee (past or present) may request information as to whether or not the system contains records pertaining to him from the appropriate Regional Forester or Forest Supervisor. A request for information should be in writing and should include the name, address, Social Security Number, approximate date of last skill needs inventory record, and place of employment at that time.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information stored in the system comes from direct input by the employee and his work supervisor and is based on development plans, certification exams, observed training needs, and needs identified through the development of the program of work.

USDA/FS–24

System name:

Special Use Permits, Easements, and Licenses, USDA/FS.

System location:

Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the 9 Regional Offices, 123 Forest Supervisor Offices, and 673 District Ranger Offices. The addresses for the Headquarters office, Regional Foresters, and Forest Supervisors are listed in 36 CFR Part 200, Subpart A; and addresses for District Rangers are in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system:

Any person holding a special use permit, easement or license authorizing use or occupancy of National Forest System land or land administered for National Forest purposes.

Categories of records in the system:

The records include information on the specific use or activity which the individual is authorized to conduct as reflected in inspections of the use or activity, qualifications and competence to perform the use or activity, and financial resources such as liability insurance and performance bonds. Other circumstances reflecting the conduct of the activity or use, negotiations on tenure and performance, etc., may be included.

Authority for maintenance of the system:

16 U.S.C. 472 and 551; 36 CFR 251.50 through 251.64.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to commercial collection contractors for the purpose of collecting delinquent debts as authorized by 31 U.S.C. 3718. Disclosure of the individual's name; address; taxpayer identification number (SSN), and other information necessary to establish the identity of the individual; the amount, status, and history of the claim; and the agency or program under which the claim arose may be made to a consumer reporting agency as authorized by 31 U.S.C. 3711f if a debt which arose under the terms of a permit, easement, or license remains delinquent for more than 60 days. Such disclosures may include taxpayer mailing addresses obtained from IRS as authorized by 26 U.S.C. 6103(m).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Primarily vertical file folders. Some case files or parts of files may be maintained on microfilm, aperture cards, etc.

Retrievability:

Files are maintained under various sub-parts of Title 2700 of the Forest Service filing system, identified by the kind of case (special use permit, easement, license, etc)., permittee's name, and date of permit (etc.) issuance. Applications and pending permits are maintained in the same manner except are designated Pending or Application.

Safeguards:

Normal security for routine file material. Locked office or file room.

Retention and disposal:

Upon termination of use or activity, case is closed. Transferral to closed files at end of fiscal year. Majority of cases are retained permanently although some issued under Ranger District or Forest Supervisor authority are specified for disposal from 5 to 50 years depending upon type of use.

System manager(s) and address:

Director of Lands, Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, D.C. 20013, and the appropriate Regional Forester, Forest Supervisor, or District Ranger whose addresses are the same as under System Location.

Notification procedure:

Any individual may request information regarding the system of records, or information as to whether it contains records about him/her by writing to the office at which the individual's special use permit, easement, or license was issued. Identifying information should include the kind of case (special use permit, easement, or license), permittee's name, date of issuance, and location of permitted use or activity.

Record access procedures:

Use same procedures as for requesting Notification.

Contesting record procedures:

Use same procedures as for requesting Notification.

Record source categories:

Information obtained from the individual, consultants contracted by the individual, Forest Service personnel in course of inspection and administration of the activity or use, and Forest Service consultants and technical experts.

USDA/FS—25

System name: Temporary Employee Performance and Training Record, USDA/FS.

System location: Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the 9 Regional Offices, 8 Forest and Range Experiment Stations, the Forest Products Laboratory, the Institute of Tropical Forestry, 123 Forest Supervisor Offices, and 673 District Ranger Offices. The address for the Headquarters is Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, S.W., Washington, D.C., 20250; the addresses for Regional Foresters, Forest and Range Experiment Stations, Forest Products Laboratory, Institute of Tropical Forestry, and Forest Supervisors are listed in 36 CFR 200.2, Subpart A; and addresses for District Rangers are in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Forest Service Employees with temporary appointment.

Categories of records in the system: Performance evaluations; training planned and completed on a crew or group basis as well as individually; may also include an employment history and a copy of the latest hiring action. The system is similar to the Employee Development Record but less formal.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Respond to reference checks from potential employers or supervisors, and referral of performance records to schools or colleges when the individual was recruited through a special student employment program. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in files of the unit where individual worked.

Retrievability: By name.

Safeguards: Kept in locked files in locked offices.

Retention and disposal: Upon termination of employment, record is transferred to closed files where it is retained for 3 years and then destroyed.

System manager(s) and address: Director, Personnel Management Staff; USDA Forest Service; 1621 N. Kent St., Arlington, Virginia 22209. (Mailing address—USDA Forest Service, Washington, D.C. 20250.)

Notification procedure: Any individual may request information concerning himself from this system from the unit where he worked.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes from the temporary employee and his supervisors.

USDA/FS-26

System name:

Trespass and Claims, USDA/FS.

System location:

At the Forest Service headquarters offices of the Chief and the Regional Foresters. The addresses of these offices are listed in 36 CFR Part 200, Subpart A.

Categories of individuals covered by the system:

Individuals who file claims against the Forest Service pursuant to the Federal Tort Claims Act, the Military Personnel and Civilian Employees' Act of 1964 and the various Forest Service Claims Acts: Also individuals against whom the Forest Service has filed claims pursuant to the Federal Claims Collection Act; and individuals who claim title to National Forest System lands pursuant to the Adjustment of Land Titles Act, Quiet Claim Act, Color of Title Act, Wisconsin Land Title Act or the Real Property-Quiet Title Act.

Categories of records in the system:

The system consists of complete files on individual claims, including claim forms, police reports, investigation and accident reports, statement of witnesses, agency reports, and financial data of individuals subject to a claim of the Forest Service.

Authority for maintenance of the system:

7 U.S.C. 2253; 16 U.S.C. 502, 556c and 574; 28 U.S.C. 2409a and 2671–2680; 31 U.S.C. 3701, 3711, 3721, 3723, and 43 U.S.C. 872, 1068 and 1221.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to Office of the General Counsel for advice or settlement; referral to Department of Justice for defense of a lawsuit brought against the United States or its officers, or the filing of suit for the recovery of claims by USDA. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to commercial collection contractors for the purpose of collecting delinquent debts as authorized by 31 U.S.C. 3718. Disclosure of the individual's name; address; taxpayer identification number (SSN), and other information necessary to establish the identity of the individual; the amount, status, and history of the claim; and the agency or program under which the claim arose may be made to a consumer reporting agency as authorized by 31 U.S.C. 3711f if a debt which arose from the trespass or claim remains delinquent for more than 60 days. Such disclosures may include taxpayer mailing addresses obtained from IRS as authorized by 26 U.S.C. 6103(m).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name of individual claimant or trespasser.

Safeguards:

Records are kept in a locked office.

Retention and disposal:

Records are retained until the statutory limitations for the filing of such claim or suit arising therefrom has expired; then they are destroyed.

System manager(s) and address:

Director, Fiscal and Accounting Management, Forest Service, U.S. Department of Agriculture, P.O. Box 2417, Washington, DC 20013, or the appropriate Regional Director of Fiscal and Accounting Management at the addresses specified under System Location above.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him/her from the Director, Fiscal and Accounting Management, Forest Service, U.S. Department of Agriculture, Washington, D.C., or the appropriate Regional Director of Fiscal and Accounting Management at the address referenced under System Location. If the specific location of the record is not known, the individual should address his request to the Director of Fiscal and Accounting Management, who if necessary, will refer it to the appropriate Regional office. A request for information pertaining to an individual should contain name, address, and particulars involved

(i.e., the date of the action giving rise to the claim or trespass, date claim or trespass was filed, correspondence, etc.)

Record access procedures:

Use same procedures as for requesting Notification.

Contesting record procedures:

Use same procedures as for requesting Notification.

Record source categories:

Information in this system comes primarily from claimant's witnesses, agency employees, and investigative personnel.

USDA/FS—27

System name: Youth Conservation Corps (YCC) Enrollee Medical Records, USDA/FS.

System location: Forest Service Office responsible for administration of the YCC camp. Addresses of these offices are the same as listed under 36 CFR 200.2 Subpart A.

Categories of individuals covered by the system: Current and former YCC enrollees.

Categories of records in the system: Medical History Forms, Accident Injury and Medical Treatment Forms, and Parental Permission portion of the application forms.

Authority for maintenance of the system: 16 U.S.C. 1703

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefits. (2) Disclosure to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by name of enrollee.

Safeguards: Stored in metal filing cabinets in locked office.

Retention and disposal: Manual records are maintained for 3 years. Everything is then destroyed, except accident forms and medical treatment forms. These are retained permanently or until such time as enrollee may submit a claim.

System manager(s) and address: Director, Staff of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Forest Service organizational unit where the YCC camp was located. The addresses for these offices are in 36 CFR 200.2, Subpart A. A request for information pertaining to an individual should contain name, address, dates when work was performed, program under which enrolled, and location where work was performed.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from the individual himself, medical doctor, and camp official compiling accident or injury information.

USDA/FS—28

System name: Youth Conservation Corps (YCC) Enrollee Payroll Records, USDA/FS.

System location: YCC Adminstrative Services Center, Bureau of Reclamation, P.O. Box 11568, Salt Lake City, UT, 84147.

Categories of individuals covered by the system: Current and former YCC Enrollees.

Categories of records in the system: UC-507, Pay Notification Form information on magnetic tapes.

Authority for maintenance of the system: 16 U.S.C. 1703.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Payroll purposes for current enrollees. (2) Disclosure to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (3) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Current and past UC-507 Forms information on magnetic tape and printouts.

Retrievability: Tapes heels are coded by number.

Safeguards: Tapes are stored in a tape file and vault while printouts are stored in locked metal filing cabinets.

Retention and disposal: Current payroll information is purged from magnetic tapes at the termination of the program after being transferred to a single magnetic tape which is retained permanently. Printouts are destroyed after 5 years.

System manager(s) and address: Director, Staff of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250; Director, Office of Manpower Training and Youth Activities, Department of the Interior, Office of the Secretary, Washington, D.C. 20240.

Notification procedure: Any individual may obtain information about the system of records, or whether it contains records about him by writing to the appropriate System Manager listed above. Inquiries should state name, address, and camp in which enrolled.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: The records in this system originated from the individual on whom the record is maintained and from camp staff.

USDA/FS—29

System name: Youth Conservation Corps (YCC) Enrollee Records, USDA/FS.

System location: Forest Service Office responsible for administration of the YCC Camp. Addresses of these offices are the same as listed under 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Current and former YCC Enrollees.

Categories of records in the system: Current enrollees: Application Forms, Medical History Forms; copies of UC-507 Forms; Evaluation of enrollee's performance by camp staff; Accident and Injury Forms. Past enrollees: List of names and addresses. Current alternates: Application Forms.

Authority for maintenance of the system: 16 U.S.C. 1702

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Enrollee participation record for school credit. (2) Disclosure to a Federal, State or local agency maintaining Civil, Criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (3) Disclosure to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by name of enrollee.

Safeguards: Stored in metal filing cabinets in locked office.

Retention and disposal: Records are maintained until the end of the current program. At termination, a list of the names and addresses of enrollees is retained, while the parental permission portion of the Application Form, Medical History Form and any Accident Forms are retained. All other information in the system of records is destroyed. The list of enrollee names and addresses is retained for 5 years and then destroyed. The application forms of current alternates are destroyed at the termination of the current program.

System manager(s) and address: Director, Staff of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him, from the organizational unit for which he performed work. A request for information pertaining to an individual should contain: name, address, dates when work was performed, program under which enrolled, and location where work was performed.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from the individual himself, the sponsoring organization, work supervisors, and other Forest Service officials.

USDA/FS—30

System name: Youth Conservation Corps (YCC) Recruitment System, USDA/FS.

System location: Office of the YCC recruiter in each State. Address of the State recruiters may be obtained each year by writing to the System Managers as listed below.

Categories of individuals covered by the system: Youth between the ages of 15 and 18 who file an application to attend a Forest Service, Department of the Interior, or State grant YCC camp with one of the named recruiters.

Categories of records in the system: The system consists of application forms submitted by eligible youth.

Authority for maintenance of the system: 16 U.S.C. 1703

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Selection is made from among applications of all eligible applicants. Persons selected are either offered employment in a YCC camp or placed on a substitute list to be used in case of declinations. Applications of those selected are sent to camps operated by the Forest Service, Department of the Interior, States, Counties, Cities, and other sub-grantees for use in the YCC Enrollee File subsystem.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Medium of storage is the applications themselves.

Retrievability: Applications are filed alphabetically by name of individual applicant.

Safeguards: Records are kept in office files available to responsible officials only.

Retention and disposal: Records on non-selected applicants are disposed of by September 31 of each year.

System manager(s) and address: Director, Division of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington D.C. 20250; and Director, Office of Manpower Training and Youth Activities, Department of the Interior, Office of the Secretary, Washington, D.C. 20240.

Notification procedure: Any individual may request information regarding the system of records, or information as to whether it contains records about him by writing to the appropriate System Managers listed above.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: The YCC application form prepared by the applicant and any additions or corrections thereto, also prepared by the applicant, and additional information as may be added to the file by the State recruiter concerning the applicant's selection, nonselection, or declination.

USDA/FS—31

System name: Youth Conservation Corps (YCC) Research Files USDA/FS.

System location: Institute for Social Research, University of Michigan, Ann Arbor, MI, 48106

Categories of individuals covered by the system: A random sample of 600 1973 YCC enrollees.

Categories of records in the system: The file contains questionnaire responses, environmental education scores, and verbal skills test data.

Authority for maintenance of the system: 16 U.S.C. 1705

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File is on a magnetic tape.

Retrievability: Data on each person is identified by a case number. It can be retrieved by matching the case number with a mailing list containing case numbers, name and address.

Safeguards: Kept in locked files and only the System Manager and other research staff have access to the mailing list.

Retention and disposal: Files are being retained indefinitely for possible future longitudinal studies of long range benefit.

System manager(s) and address: Donna A. Lingwood, Institute for Social Research, The University of Michigan, Ann Arbor, MI, 48106

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from: Director, Division of Manpower and Youth Conservation Programs, U.S. Department of Agriculture, Forest Service, Washington, D.C., 20250; Director, Office of Manpower Training and Youth Activities, Department of the Interior, Office of the Secretary, Washington, D.C., 20240. A request for information pertaining to an individual should contain name, address, dates when work was performed, program under which enrolled, and location where work was performed.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information in this system comes primarily from the individual himself, the sponsoring organization, work supervisors, and other Forest Service officials.

USDA/FS—32

System name: Professional Registration and Professional Society Affiliation, Engineering—Related Personnel—Eastern Region—USDA/FS.

System location: Office of the Regional Forester, Headquarters, Eastern Region, USDA Forest Service, 633 West Wisconsin Avenue, Milwaukee, Wisconsin, and at National Forest Headquarters at the following location: Allegheny National Forest, Warren, PA; Chequamegon National Forest, Park Falls, WI; Chippewa National Forest, Cass Lake, MN; Green Mountain National Forest, Rutland, VT; Hiawatha National Forest, Escanaba, MI; Huron-Manistee National Forest, Cadillac, MI; Monongahela National Forest, Elkins, WV; National Forests in Missouri, Rolla, MO; Nicolet National Forest, Rhinelander, WI; Ottawa National Forest, Ironwood, MI; Shawnee National Forest, Harrisburg, IL; Superior National Forest, Duluth, MN; Wayne-Hoosier National Forest, Bedford, IN; White Mountain National Forest, Laconia, NH.

Addresses at each field office are listed in the telephone directories of the respective cities listed above under the heading, "United States Government, Department of Agriculture, Forest Service, National Forest Supervisor."

Categories of individuals covered by the system: Forest Service employees of the Eastern Region who presently are Registered Professional Engineers, Engineers-in-Training, Registered Land Surveyors, Engineers and/or Technicians presently affiliated with an Engineering-related professional or technical society or organization are included in this system of records.

Categories of records in the system: The system consists of a directory listing Registered Professional Engineers, Engineers-in-Training, Registered Land Surveyors, including the name of the State(s) and the Year(s) acquired. The directory also lists the "Professional Society Affiliations" of Land Surveyors and Engineering employees, including society name, category of membership and responsibility.

Authority for maintenance of the system: 5 U.S.C. 0301; 7 CFR 02.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Promoting Professional Registration and involvement in Professional and/or Technical societies; and (2) providing assistance (through the directory listing) to employees currently seeking professional registration; and (3) providing recognition of employees' efforts in these endeavors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The directory (records) in the form of a spiral-bound booklet is maintained at the applicable address(s) listed above. Also, each individual whose name appears in the directory receives a copy for his personal use.

Retrievability: The directory (records) is indexed by organizational unit within the Region and by name of individual listed therein.

Safeguards: Since a copy of this directory is sent to all the individuals listed in it, no identifiable safeguards exist. Employees are instructed to treat the directory as an Official Forest Service document for in-service only.

Retention and disposal: The directory (record) is maintained for the duration of an employee's registration or society affiliation. All information is deleted when (1) the employee is no longer employed within the region; (2) is no longer registered and/or is no longer affiliated with a professional society.

System manager(s) and address: Director, Engineering Staff Group, USDA—Forest Service, Eastern Region, 633 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.

Notification procedure: Any Eastern Region employee, past or present, may request information regarding this directory system, or information as to whether the system contains records pertaining to him from the Director, Engineering Staff Group, at the address above, Telephone 414-224-3602, or the appropriate Forest Supervisor at the address previously listed. A request for information pertaining to an individual should contain: Name and address, Unit Headquarters and Particulars involved, i.e., Registered Surveyor, Registered Engineer, etc.

Record access procedures: Any individual may obtain information as to the procedure for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Information in this system comes primarily from individual employees, the employee's supervisor, and line and staff officers.

USDA/FS—33

System name: Law Enforcement Investigation Records, USDA/FS.

System location: Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the nine Regional Offices and 123 Forest Supervisor Offices. The address for the Headquarters is Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, SW., Washington, D.C., 20250; the addresses for Regional Foresters and Forest Supervisors are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Subjects: Individuals against whom allegations of wrongdoing have been made. Principals: Individuals not named as subjects, but yet may be responsible for alleged violations. Complainants: Those who allege wrongdoing. Others: Those closely connected with the matter of investigation.

Categories of records in the system: Files containing investigative and other reports, correspondence, informal notes, statements of witnesses, names, addresses, social security records and dates of birth.

Authority for maintenance of the system: 16 U.S.C. 559.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation of law, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto; (2) referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) referral to the Department of Justice for the defense of suits against the United States or its officers, or for the institution of suits for the recovery of claims by the United States Department of Agriculture; (4) referral to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data is stored on magnetic media and vertical file folders.

Retrievability: Files are maintained under 5340 designation, identified by the individual's name.

Safeguards: Staff are instructed to allow access to authorized persons only. The files are kept in locked file cabinets.

Retention and disposal: Files are retained indefinitely.

System manager(s) and address: Director, Fiscal and Accounting Management Staff, USDA—Forest Service, Washington, D.C., 20250 or the appropriate Regional Forester or Forest Supervisor at the address specified above.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (3)(4)(G), (H), (I), and (f). See 7 CFR 1.23. This exemption will only be used to maintain the efficacy and integrity of lawful investigations, and to prevent access to certain law enforcement files which would alert subjects of investigations that their activities are being scrutinized and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Any individual who feels, however, that he has been denied any right, privilege or benefit for which he would otherwise be eligible as a result of the maintenance of such material may request access to the material. Such requests should be addressed to the appropriate system manager.

USDA/FS—34

System name: Land Adjustments (Purchase, Donation, Exchange) USDA/FS.

System location: Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the nine Regional Offices, the ten Experiment Station Offices, Forest Supervisor Offices, and District Ranger Offices. The address for the Headquarters is Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, SW., Washington, D.C., 20250; the addresses for Regional Foresters, Station Directors and Forest Supervisors are listed in 36 CFR 202.2, Subpart A; and addresses for District Rangers are in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Individuals who sell, donate, or exchange lands or interests in lands to or with the United States through the Forest Service, USDA.

Categories of records in the system: The system consists of complete files on individual land adjustment cases, including appraisal reports and justification statements for the land adjustment action being taken.

Authority for maintenance of the system: 40 U.S.C. 257, 16 U.S.C. 515-517, 16 U.S.C. 485-486; 16 U.S.C. 569, 16 U.S.C. 555, 40 U.S.C. 258a, 7 U.S.C. 1010, 1011(c), 7 U.S.C. 428a(a), 43 U.S.C. 315g-1, 16 U.S.C. 555a, 16 U.S.C. 1131-1136, 16 U.S.C. 4601-9, 16 U.S.C. 484a, 42 U.S.C. 4601(6) 4601(8), 4621, 4622, 4651, 4653, National Trails 16 U.S.C. 1241-1249, Wild and Scenic Rivers 16 U.S.C. 1271-1287, National Recreation Areas 16 U.S.C. 460p et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to (1) Department of Justice for (a) filing condemnation in court and (b) for information in suits filed against the Government, (2) Bureau of Land Management for review of cases involving exchange of public domain lands, (3) Bureau of Outdoor Recreation for review in authorizing use of land and water conservation funds, (4) Treasury Department for tax purposes, (5) Federal Power Commission for licensing of Federal Power Commission projects, (6) Environmental Protection Agency for preparation of environmental statements, (7) Corps of Engineers for information on joint land acquisition projects, (8) General Accounting Office for review of specific cases, (9) Congressional Committees and members of congress for (a) National Forest Reservation Commission for approval of Weeks Law purchases or exchanges, and (b) to appropriation committees for budget purposes, (10) State and local governments for (a) compliance with OMB Circular A-95 and (b), for compliance with the Rare and

Endangered Species Act and the Historic and Cultural Preservation Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable field offices and the Washington Office.

Retrievability: Records are indexed by name of individual involved in land adjustment case.

Safeguards: Records are kept in a locked official government office.

Retention and disposal: Records are retained at the applicable office until the cases are closed, at which time one combined record is retained by the applicable Regional Office for a period of twenty-five years, except for deeds and title papers which are retained permanently at the applicable Field Offices.

System manager(s) and address: Director, Lands, Forest Service, USDA, Washington, D.C., 20250 and designees at Region, Station, Forest, Ranger, Research Work Units and Project Headquarters Offices when applicable.

Notification procedure: Any individual may request information regarding this system of record or information as to whether the system contains a record pertaining to him from the Director, Lands, Forest Service, USDA, Washington, D.C., telephone 703-235-8212. He will advise the individual of the locations of any records and the local designated individual responsible for those records at the appropriate Field Offices. A request for information pertaining to an individual should contain:

Name, address, and any available particulars involved in the specific case, i.e., name of owner of properties, location of property and dates of any correspondence, if available, etc.

Record access procedures: Use same procedures as for requesting notifications.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: Information in this system comes primarily from individual landowners, employees of the agency or agencies to which cases are referred and contract real property appraisers or consultants which they hire.

USDA/FS—35

System name: Congressional Correspondence Records, USDA/FS.

System location: Records in this system are maintained at Forest Service Headquarters in Washington, D.C., the 9 Regional Offices, the 10 Experiment Station Offices, Area Offices, Forest Supervisor Offices, and District Ranger Offices. The address for the Headquarters is: Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, SW., Washington, D.C. 20250; the addresses for Regional Foresters, Station Directors, Area Offices, and Forest Supervisors are listed in 36 CFR 200.2, Subpart A; and addresses for District Rangers are in the telephone directory of the applicable locality under the heading, U.S. Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Current Members of the House of Representatives and U.S. Senate.

Categories of records in the system: Files containing congressional letters with attached congressional constituent correspondence; copies of FS responses to written correspondence from congressional members; Congressional Record and newpaper clipping of statements made by Members of Congress on forestry, forestry legislation or the Forest Service; statistical data on Forest Service activities in the congressional district or State, that is, payments to States and counties from national forest receipts, by congressional district, county, State, and national forest acreage by congressional district, county and State; copies of letters to the record by Forest Service officials summarizing meetings with Congressmen and/or visits to Forest Service offices and National Forest System land by Members and Committees of Congress and their staffs, and biographies of Members of Congress.

Authority for maintenance of the system: 5 U.S.C. 201; 16 U.S.C. 582a—582a-7; U.S.C. 1601-1610.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Members of Congress to enable them to (1) respond to constituents, (2) judge the agency's response to the constituent, (3) obtain factual information on National Forest acreage, Forest Service projects, receipts to States and local governments by district or State, (4) to prepare statements on forestry legislation and issues.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in individual file folders.

Retrievability: Material is filed alphabetically by name.

Safeguards: All information in this file is a matter of public record and subject to the Freedom of Information Act. Special safeguards are not required.

Retention and disposal: Files are retained until a Member leaves Congress. Within the files, copies of correspondence are retained for 12 months. Factual material on Forest Service activities in the District or State are updated annually and previous material destroyed. Statements made in the Congressional Record are retained in the file until the entire file is destroyed.

System manager(s) and address: Director, Legislative Affairs, Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue, SW., Washington, D.C. 20250; appropriate Regional Information Officer; appropriate National Forest Administrative Officer.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him by contacting the appropriate system manager.

Record access procedures: A request for information pertaining to an individual should contain: Name, address, and any available particulars involved in the specific case, that is, dates of correspondence, subject matter, et cetera.

Contesting record procedures: Use same procedures as for notification.

Record source categories: Records in this system come from U.S. Congressmen and replies from within the agency; attachments to congressional correspondence from constituents, newspapers, the Congressional Record, and Forest Service records.

USDA/FS—36

System name: Certified Timber Sale Administrators, USDA/FS.

System location: Forest Service Regional Headquarters and/or Forest Supervisor Headquarters. The addresses for these offices are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Employees certified as administrators of timber sale contracts.

Categories of records in the system: Name; grade, and date of individual's certification. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management at addresses listed above.

Notification procedure: Requests should be directed to the system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Forest Service records of administration experience and training.

USDA/FS—37

System name: Certified Timber Appraisers, USDA/FS.

System location: Office of the Regional Foresters, Forest Supervisors, and the Forest Manager, Savannah River Plant, Aiken, S.C. 29801; the addresses for these offices are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Employees certified to appraise timber for sale.

Categories of records in the system: Name, grade, and date of individual's certification. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management at addresses listed above.

Notification procedure: Send requests for information to the system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Forest Service records of appraisal experience, training, and written, oral or applied examinations.

USDA/FS—38

System name: Certified Check Scaler, USDA/FS.

System location: Records in this system are maintained at the Southern Regional Office, 15 Forest Supervisor Offices and 1 Forest Manager Office. The address of the Southern Regional Office is: Forest Service, USDA, 1720 Peachtree Road, NW., Atlanta, Ga. 30309. The Forest Supervisor Offices are listed in 36 CFR 200.2, Subpart A, under Region 8, Southern Region. The address for the Forest Manager is: Forest Manager, Savannah River Plant, P.O. Box A, Aiken, S.C. 29801.

Categories of individuals covered by the system: Employees qualified and authorized to check work of timber workers.

Categories of records in the system: Name, grade, and date of employees certification. Includes record of certification.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management at addresses listed above.

Notification procedure: Send requests for information to the appropriate system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Forest Service records of administration experience, training, oral, and applied examination.

USDA/FS—39

System name: Certified Timber Marker, USDA/FS.

System location: At headquarters of 15 Forest Supervisor Offices in Region 8, Southern Region, as listed in 36 CFR 200.2 Subpart A, and one Forest Manager Office. The address for the Forest Manager is: Forest Manager, Savannah River Plant, P.O. Box A, Aiken, S.C. 29801.

Categories of individuals covered by the system: Employees qualified to mark and make volume estimates of trees for sale.

Categories of records in the system: Name, grade, and date of individual's certification. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management at addresses listed above.

Notification procedure: Send requests to the appropriate system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Forest Service Records of administration experience and training.

USDA/FS—40

System name: Certified Power Saw Operator, USDA/FS.

System location: At headquarters of 15 Forest Supervisor Offices in Region 8, Southern Region, as listed in 36 CFR 200.2, Subpart A, and one Forest Manager Office. The address for the Forest Manager is: Forest Manager, Savannah River Plant, P.O. Box A, Aiken, S.C. 29801.

Categories of individuals covered by the system: Employees who qualify as saw operators.

Categories of records in the system: Name, grade, and date of individual's certification. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Timber Management at addresses listed above.

Notification procedure: Send requests to the appropriate system manager.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Forest Service records of administration experience, training. Information may also come from written, oral, and applied examination.

USDA/FS—41

System name: Certified Pesticide Applicators, USDA/FS.

System location: Records in this system are maintained at the Southern Regional Office and 15 Forest Supervisor Offices and one Forest Manager Office. The address of the southern Regional Office is: Forest Service, USDA, 1720 Peachtree Road, NW., Atlanta, Ga. 30309. The Forest Supervisor Offices are listed in 36 CFR 200.2, Subpart A, under Region 8, Southern Region. The address for the Forest Manager is: Forest Manager, Savannah River Plant, P.O. Box A, Aiken, S.C. 29801.

Categories of individuals covered by the system: Forest Service employees who have completed the necessary training to qualify as pesticide applicators.

Categories of records in the system: Name, grade, and date of certification and organization. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Director of Range, Timber, and Wildlife, Forest Service, USDA, 1720 Peachtree Road, NW., Atlanta, Ga. 30309, and the appropriate Forest Supervisor or Forest Manager at the address specified above.

Notification procedure: Any employee may request information regarding the system of records, or information as to whether the system contains records pertaining to him from the system manager. A request for information should contain the name, grade, date of certification, and organization.

Record access procedures: Use same Procedures as for requesting notification.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: Forest Service Records of Pesticide Application experience and training obtained from information in employee's personnel file information in this system may also come from written, oral and applied examinations.

USDA/FS—42

System name: Certified Prescriptionists, USDA-FS.

System location: At appropriate Regional headquarters and appropriate Forest Supervisor Offices and one Forest Manager Office. The addresses are listed in 36 CFR 200.2 Subpart A. The address for the Forest Manager is: Forest Manager, Savannah River Plant, P.O. Box A, Aiken, S.C. 29801.

Categories of individuals covered by the system: Forest Service employees who have completed the necessary training to qualify as Prescriptionists.

Categories of records in the system: Name, grade, and date of certification and organization. Includes record of certification action.

Authority for maintenance of the system: 16 U.S.C. 476.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by organization and name of individual certified.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until superseded.

System manager(s) and address: Forest Supervisors and Forest Manager at the address specified above.

Notification procedure: Any employee may request information regarding the system of records or information as to whether the system contains records pertaining to him from the system manager. A request for information should contain name and date of certification.

Record access procedures: Use same procedures as for requesting notification.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: Forest Service records of prescription experience and training obtained from information in the employee's personnel file. Information in the system may also come from written, oral, and applied examinations.

USDA/FS—43

System name: Emergency Fire Mobilization Plan Directory, USDA/FS.

System location: Records are kept by the Fire Management staff, Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250, and by the respective Regional Office, Forest Supervisor's Office, and Ranger District Office where the individual is employed.

Categories of individuals covered by the system: Employees and cooperators who are involved in wildland fire suppression.

Categories of records in the system: The system may include names, working titles, fire-job qualifications, home addresses and telephone numbers of these individuals.

Authority for maintenance of the system: 16 U.S.C. 551, 5 U.S.C. 301; 7 CFR 2.60

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed to Federal, State, and local agencies involved in wildland fire protection activities, including but not limited to the Forest Service, Bureau of Land Management, Bureau of Indian Affairs, National Park Service, State Forestry Organizations, and Rural Fire Departments, so that the individuals and their assigned fire crews can be called upon for emergency duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information may be kept on file cards, loose-leaf or bound fire mobilization plans, pocket-sized directories, and may be placed on magnetic trap, drums, or disks at Forest Service computer facilities.

Retrievability: System may be indexed by organization, geographic area of residence, fire/job qualifications, or by last name.

Safeguards: Records do not contain information that is considered highly confidential so they may be kept in a general file and in ADP storage systems.

Retention and disposal: The information in this system will be maintained currently. Out of date information will be kept in the general files for 10 years and then destroyed.

System manager(s) and address: Directors of Fire Management in the Washington Office and Regional Offices, Forest Fire Management Staff Officers, and District Rangers.

Notification procedure: An employee can obtain the information from the Washington Office, Regional Office, Forest Supervisor's Office, or Ranger District Office under which he is or had been employed. If the specific location of the record is not known the individual may direct his request to the Director of Fire Management in Washington or in the Regional Office of the geographic area where he was employed. A request for information from this system should include name, address, place, period of employment, and position held.

Record access procedures: Use same procedures as for requesting notification.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: The information in this system comes primarily from the individual, from other in-service documents, or from supervisory personnel.

USDA/FS—44

System name: Pilot Qualification Record, USDA/FS.

System location: Records in this system are maintained at the Forest Service headquarters of the nine Regional Offices. Addresses are listed in 36 CFR 200.2, Subpart A.

Categories of individuals covered by the system: Pilots employed by contractors, aircraft equipment rental vendors, and self-employed pilots providing aviation services to the USDA/FS.

Categories of records in the system: Form 5700-2, Pilot Qualification Record, which includes pilot licenses, ratings, medical examination, flying experience and training, accident records, any records of unsatisfactory performance, and evaluation checkflights and any other data bearing upon the suitability of a pilot.

Authority for maintenance of the system: 5 U.S.C. 301; 7 CFR 2.60.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to Bureau of Land Management and Office of Aircraft Services who contract for similar services.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Vertical file folders.

Retrievability: Indexed by the name of the individual.

Safeguards: Records are in the general files in a locked office.

Retention and disposal: Records are updated currently as needed and then filed in the National Archives in accordance with standard procedures. Names may be added or deleted from the list, as appropriate.

System manager(s) and address: Regional Aviation Officers located at the addresses listed above.

Notification procedure: Any individual may request information as to whether he is on the list by writing the system manager. A request for information pertaining to an individual should contain name, FAA pilot license number, and information as to previous employers while performing services for the agency.

Record access procedures: Use same procedures as for requesting notification.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: Information in this system comes from Regional Aviation Officers, Contracting Officers, and pilot inspectors.

USDA/FS—45

System name: Accident Notification System, USDA/FS.

System location: The records in this system are maintained in the Forest Service Headquarters Office in Washington, D.C., Regional Offices, Forest Supervisor's Offices, and District Ranger Offices. Addresses of Forest Service offices are listed in the telephone directories of the respective cities under the heading: U.S. Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Forest Service personnel involved in accident investigations.

Categories of records in the system: The system includes names, working titles, office and home telephone numbers.

Authority for maintenance of the system: 29 CFR Part 1900, Section 19, Occupational Safety and Health Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Home telephone numbers are published in Forest Service Manuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders or loose-leaf binders.

Retrievability: Records are indexed by last name.

Safeguards: Records do not contain information that is considered highly confidential, so they may be kept in a general file.

Retention and disposal: The information in this system will be maintained currently; out-of-date information will be destroyed.

System manager(s) and address: Director of Personnel Management, Forest Service, U.S. Department of Agriculture, Room 910 RP/E, P.O. Box 2417, Washington, D.C. 20013.

Notification procedure: Any individual may request information regarding this system of records from the Washington Office Safety and Health Group, Regional Office, Forest Supervisor's Office, or District Ranger's Office.

Record access procedures: Use same procedures as for requesting notification.

Contesting record procedures: Use same procedures as for requesting notification.

Record source categories: The information in this system comes primarily from the individual and from other In-Service documents.

USDA/FS—46

System name: Independent Appraisers, USDA/FS.

System location: Office of the Director of Lands, Forest Service, USDA, Washington, D.C. and those of the Director's designees located in each Regional Forester's office and offices of Forest Supervisors, District Ranger's offices, and Project Headquarters of the Forest Service, USDA. Addresses of the field offices are listed in the telephone directory in the various communities where the headquarters are located under the heading: U.S. Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Appraisers who desire to contract their services with the Forest Service, USDA.

Categories of records in the system: Individual qualifications for appraisal assignments: educational background, appraisal courses taken, professional designations, qualifications as expert witness, clients and list of types of property appraised, years of appraisal experience, sample of work, and any other information the appraiser might provide to reflect his qualifications.

Authority for maintenance of the system: 40 U.S.C. 257, 16 U.S.C. 515-517, 7 U.S.C. 428a (a), 42 U.S.C. 4601 (6), (8), 4621, 4622, 4651, 4653, and other applicable purchase and exchange laws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable field offices and the Washington Office.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained and updated as long as there is a sufficient contracting need for the information. When there is no further need for contracting appraisal services or the period between contracting is such that there is no need is to maintain information on available appraisers, the file is destroyed.

System manager(s) and address: Director of Lands, Forest Service, USDA, Washington, D.C., or his designee at the Regional Forester's offices, offices of Forest Supervisors, Ranger Districts, or Project Headquarters.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains a record pertaining to him from the Director of Lands, Forest Service, USDA, Washington, D.C. Telephone 703-235-8212. The individual will be advised of the location of any records and the local designated individual responsible for those records. A request for information pertaining to an individual should contain: Name, address, and any available particulars involved in the specific case.

Record access procedures: Use same procedure described under notification procedures.

Contesting record procedures: Use same procedure described under notification procedures.

Record source categories: Information in this system is provided voluntarily by the independent appraisers, and may include information extracted from previous contracts.

USDA/FS-47

System name: Forest Service Placement Availability System, USDA/FS.

System location: The records in this system are maintained at the Forest Service headquarters in Washington, D.C., Regional Offices, Forest Supervisors' Offices, the Fort Collins Computer Center (FCCC) in Fort Collins, Colorado, and Research Experiment Stations located throughout the country. The address for the headquarters is Forest Service, U.S. Department of Agriculture, 12th and Independence Avenue SW., Washington, D.C. 20013. The address of all other Forest Service offices may be found in 36 CFR 200.2, Subpart A, or in the telephone directory of the applicable locality under the heading, United States Government, Department of Agriculture, Forest Service.

Categories of individuals covered by the system: Non-temporary Forest Service employees in all General Schedule series grades GS-1 through GS-15 and all General Merit series grades GM-13 through GM-15, who are presently covered by the Forest Service Merit Promotion Plan and located in organizational units that have a Placement Availability System.

Categories of records in the system: The system includes information on the above employees' availability for lateral reassignment—geographic availability, duration of current assignment, functional specialties for which available, reasons for desired move, restrictions, employee's name, social security number, current job category, past work experience codes, and supervisor's comments. It also provides each employee with an opportunity to indicate availability for short-term project assignments away from the regular work site and availability to be nominated by management for competitive promotional opportunities.

Authority for maintenance of the system: 5 CFR 335.102.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records may be stored at FCCC in magnetic tape, disk or other formats, as well as on input forms prepared by covered employees which may be stored manually in file folders.

Retrievability: Records are indexed by employees' last name, social security number, organizational unit, category of availability, and category of organizational interest.

Safeguards: Records are kept in either locked filing cabinets or in computer files which are accessible only by special code.

Retention and disposal: Records will be maintained on individuals in the Forest Service or organizational units which elect to have a Placement Availability System. Records may be maintained on employees who have voluntary applications or file for lateral reassignment to organizational units which elect a Placement Availability System. Records will be destroyed on individuals who leave organizational units which have a Placement Availability System.

System manager(s) and address: Director of Personnel Management, Forest Service, U.S. Department of Agriculture, Room 910 RP-E, P.O. Box 2417, Washington, D.C. 20013, or the appropriate Regional Personnel Officer or the appropriate Research Station Assistant Director for Administrative Support Services.

Notification procedure: Any employee may request information regarding the system of records, or information as to whether the system contains records pertaining to him or her from the system manager. A request for information should contain the individual's name and social security number and organizational unit.

Record access procedures: Use same procedures as for requesting notification.

Contesting record procedures: Individual records may be amended or updated at any time, as the individual employee desires. Any part of an employee's record may be contested by that individual. The servicing personnel office will provide procedural advice.

Record source categories: The information in the records is furnished by the individual employee, the employee's immediate supervisor and/or unit supervisor.

USDA/FS—48

System name: YCC Long-term Benefit Evaluation, USDA/FS.

System location: Rocky Mountain Forest and Range Experiment Station, 240 West Prospect Street, Fort Collins, CO 80521.

Categories of individuals covered by the system: Former YCC enrollees and their parents or guardians, unsuccessful applicants to the YCC program and their parents or guardians, and individuals in communities local to YCC camps.

Categories of records in the system: Name and address of above persons, signed statement of person's willingness to participate in the study, identification number for each person (not social security number), responses on questionnaires completed at each phase of the study by respondents. Questionnaires will solicit information from respondents on the benefits of the YCC program to the enrollees, to the parents to the community, and to society in general. This information will pertain to the following broad classes of benefits:

a. Increased awareness and appreciation of the environment.
b. Improved work habits and work skills.
c. Improved ability to get along with others.
d. Increased self-confidence.
e. Improvement in the enrollee's basic orientation to life (greater awareness of and direction toward life goals, more physically fit, etc.).
f. Other related benefits of lesser significance.

Questionnaires will also solicit demographic information (race, sex, age, education, etc.) from enrollees.

Authority for maintenance of the system: 16 U.S.C. 1701–1706.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to Colorado State University and the U.S. Department of the Interior. Disclosure may be made to a Congressional Office from the records of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information will be kept on keypunch cards or data tapes.

Retrievability: Names and addresses of respondents will be kept for the purpose of mailing questionnaires only. An ID number will be assigned to each individual and will be used to determine who has or has not returned the questionnaire and to trace the changes in responses. Names and/or addresses of the respondents will not be associated with the responses on the questionnaires in any way.

Safeguards: The information on respondents obtained in the study is not potentially damaging, but all information will be kept in a small locked room. People who will have access to the information will be those directly involved with the evaluation study; the two principal investigators, the project director, two research assistants and the computer programmer and keypuncher. All personnel involved with the study will be instructed on the proper handling of the data.

Retention and disposal: The names and addresses will be destroyed by December 30, 1983. The remaining statistical data will be maintained indefinitely.

System manager(s) and address: Director, Human Resource Programs, USDA, Forest Service, 12th and Independence, Washington, D.C. 20013.

Notification procedure: Any individual may request information regarding the system of records, or information as to whether the system contains records pertaining to him by contacting the system manager.

Record access procedures: To obtain information on the procedure for obtaining access to the records, write to system manager using the above address.

Contesting record procedures: Use the same procedures as for record access.

Record source categories: Names and addresses of enrollees from lists of enrollees at each camp; parents of enrollees from the enrollees whose names are obtained from the camp lists; unsuccessful applicants maintained by YCC administrators in Washington, D.C. and from lists of unsuccessful applicants maintained by agencies in those states not included in the Washington, D.C. list; parents of unsuccessful applicants from the unsuccessful applicants; individuals in communities near YCC camps from those involved in the YCC program and others who would be aware of the people in the communities local to YCC camps who are knowledgeable about the program and could provide valuable information on the program's benefits; other categories are self-explanatory.

USDA/FS-49

System name:

USDA/FS-49, Roster of Forestry and Natural Resources Expertise.

System location:

The records in this system are maintained at the office of the USDA, Forest Service, International Forestry Staff, P.O. Box 96090, Washington, DC 20013-6090.

Categories of individuals covered by the system:

The system includes records of individuals from local, State and Federal agencies, the private sector, and the university community who are seeking international assignments in forestry or natural resources with the Forest Service, the United States Agency for International Development, the United States Peace Corps, or other cooperating agencies and organizations.

Categories of records in the system:

The system consists of a summary of each applicant's qualifications, a resume or other documentation providing detailed information relative to education and/or experience, and related correspondence. The system will also contain the addresses and phone numbers where individuals can be contacted.

Authority for maintenance of the system:

5 U.S.C. 1302; 7 U.S.C. 1736; and 22 U.S.C. 2386–2388, 2392, 2513.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information from this system of records is used by authorized agency officials to identify and locate qualified forestry and natural resources professionals for international assignments. Information is made available to agency contracting offices to determine if Federal employees with required qualifications are available for specific international assignments, or to initiate development of an acquisition and to facilitate competitive selection in the issuance of agency acquisitions. Referral of information is also made to authorized individuals of other Federal agencies or international organizations seeking technically qualified individuals in the fields of forestry and natural resources, and to current U.S. Agency for International Development contractors seeking qualified professionals to perform authorized international forestry and natural resources tasks for United States Government agencies;

(2) Disclosure to the Department of Justice for use in litigation when USDA, or any component thereof; or any employee of USDA in his or her official capacity; or any employee of USDA in his or her individual capacity where the Department of Justice has agreed to represent the employee; or the United States, where USDA determines the litigation is likely to affect USDA or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by USDA to be relevant and necessary to the litigation, provided, however, that in each case, USDA determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear, when USDA or any component thereof; or any employee of USDA in his or her official capacity; or any employee of USDA in his or her individual capacity where USDA has agreed to represent the employee; or the United States, where USDA determines that litigation is likely to affect USDA or any of its components, is a party to litigation or has an interest in such litigation and USDA determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, USDA determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;

(4) Referral to the appropriate agency, where Federal, State, local, or foreign, charged with the responsibility of investigating or, prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a

violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute, or by rule, regulation, or order issued pursuant thereto;

(5) To answer congressional inquiries made at the request of the individual from whose record information is disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders at the agency address listed above; qualification summaries are maintained in an automated database for easy retrieval.

Retrievability:

Paper records are indexed alphabetically and/or by identification number. Automated records may be retrieved by experience, education, language capability, employment status or other criteria required for the successful conduct of proposed assignments or acquisitions.

Safeguards:

All records containing personal information are maintained in secured file cabinets and in secured computer systems.

Retention and disposal:

Until the National Archives and Records Administration determines an appropriate retention and disposal schedule for these records, they will be retained indefinitely in accordance with Forest Service Handbook 6209.11, Records Management Handbook.

System manager(s) and address:

Special Projects Coordinator, Forestry Support Program, International Forestry Staff, USDA Forest Service, P.O. Box 96090, Washington, DC 20013-6090.

Notification procedure:

Individuals may request information regarding this system of records, or information as to whether the system contains records pertaining to them from the Special Projects Coordinator, Forestry Support Program (address above). A request for information should contain name, address, and particulars involved (for example, the date of action giving rise to the inquiry or complaint).

Record access procedures:

Individuals who wish to gain access to or amend records pertaining to themselves should submit a written request to the Special Projects Coordinator, Forestry Support Program (address above). The envelope and letter should be marked "Privacy Act Request."

Contesting record procedures:

Same as record access procedures.

Record source categories:

Information in this system comes from applicants for agency acquisition or Federal employees interested in international forestry or natural resources development assignments.

USDA/FS-50

System name: Skills Bank Data Base, USDA/FS.

System location:

USDA/FS, Pacific Southwest Forest and Range Experiment Station (Station), 1960 Addison Street, Berkeley, California 94704.

Categories of individuals covered by the system:

All FS permanent employees assigned to the Pacific Southwest Region and to the Pacific Southwest Forest and Range Experiment Station.

Categories of records in the system:

A skills bank data form, containing the name, social security number, position title, series, grade, career goals and aspirations, knowledge, skills, abilities, work history, and education of FS employees.

Authority for maintenance of the system:

5 U.S.C. 301, 7 U.S.C. 2201, and 42 U.S.C. 2000e-16, et seq.

Purpose(s):

Assistance in eliminating underrepresentation of women within each General Schedule job series represented within the regional workforce and at each grade level therein and assistance in effective human resource management by encouraging more qualified applicants for vacancies and certain details.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

There are no routine uses for this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Skills Bank Data Base records are stored for computers on disks, magnetic tape, and other electronic media accessible only by password.

Retrievability:

Records can be accessed by data entry number; computer address, name, social security number (obtained voluntarily and used for purposes of verification only), position title, current pay plan, series and job grade; career goals; education; work experience, and knowledge, skills and abilities.

Safeguards:

On-line access to Skills Bank Data Base data is controlled by password protection, and is limited to those names entered into a controlled pool of names of persons with designated access authority in the Region. These are either the persons who have been assigned to access the Skills Bank data base or those supervisors who have agreed to do so. At the Station, access is limited to the Director, Assistant Directors, Project Leaders, Group Leaders, Administrative Officer or Business Management Assistant.

Retention and disposal:

Until the National Archives and Records Administration determines an appropriate retention and disposal schedule for these records, they will be retained indefinitely in accordance with the FS Handbook 6209.11, Records Management Handbook.

System manager(s) and address:

Group Leader of Statistics and Computer Services, Pacific Southwest Station, 1960 Addison Street, Berkeley, California 94704.

Notification procedure:

An individual may request information as to whether the system contains records pertaining to him or her by signing on to a locally-based computer terminal and viewing his or her own record. The employee can then print out the data. Individuals not employed in the Pacific Southwest Region or Station may obtain this information by written request to the System Manager.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

See notification procedure, above. An employee, having obtained and printed his or her own record, may make corrections on the printed record and forward the corrected record to the appropriate Personnel Office for correction of the record in the data base. Further information may be obtained by making a written request to the system manager. USDA regulations on contesting contents of records and appealing initial determinations are set forth at 7 CFR 1.100-1.123.

Record source categories:

Information in these records is obtained directly from the individuals in the system.

USDA/OFM-1

System name:

Drug-Free Federal Workplace Records.

System location:

U.S. Department of Agriculture (USDA), Office of Finance and Management, Safety and Health Management Division, 14th and Independence Avenue SW., Washington, DC 20250; USDA Agency headquarters offices; and offices of contractors who perform functions such as collection of urine specimens, laboratory analysis, and medical review of confirmed positive laboratory findings.

Categories of individuals covered by the system:

USDA employees, Farm Credit System Assistance Board employees, and persons who have applied to USDA for employment.

Categories of records in the system:

Records relating to the selection, notification, and testing of covered individuals; collection and chain of custody of urine specimens; urine specimens; drug test results information.

Authority for maintenance of the system:

E.O. 12564, dated September 15, 1986, "Drug-Free Federal Workplace"; Pub. L. No. 100-71, section 503, July 11, 1987.

Purpose(s):

The system is established to maintain records relating to the selection and testing of Federal employees and applicants for Federal employment for use of illegal drugs. The records will provide the basis for taking appropriate action in reference to employees who test positive for use of illegal drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records other than drug testing results may be disclosed:

(1) To drug testing laboratories under contract with USDA or other U.S. Government agencies to perform tests on urine specimens provided by selected USDA employees and applicants for employment;

(2) To the Medical Review Officers under contract with USDA or other U.S. Government agencies for verification of the results received from the testing laboratories; or

(3) In a judicial or administrative proceeding where required by the United States Government to defend against any challenge against any adverse personnel action.

Disclosures of Drug Test Results. Pursuant to Pub. L. No. 100-71, section 503, July 11, 1987, the results of a drug test of a Federal employee will be disclosed only:

(1) To the employee's medical review officer;

(2) To the administrator of any employee counseling services program in which the employee is receiving counseling or treatment or is otherwise participating;

(3) To any supervisory or management official within the employee's agency having authority to take the adverse personnel action against such employee; or

(4) Pursuant to the order of a court of competent jurisdiction where required by the United States Government to defend against any challenge against any adverse personnel action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic disk and in paper form.

Retrievability:

Records are retrieved by name of agency, name of employee or applicant, position title, Social Security Number, employee ID number, date of birth, or any combination of these.

Safeguards:

Records are maintained in a secured area or on automated media with access limited to authorized personnel whose duties require access.

Retention and disposal:

Generally, records are retained for two years and then destroyed by shredding, burning, or erasure in the case of magnetic media.

System manager(s) and address:

Chief, Safety and Health Management Division, Office of Finance and Management, 14th and Independence Avenue, SW., Washington, DC 20250.

Notification procedure:

Individuals wishing to inquire whether this system contains records about them should contact their USDA Agency Headquarters Office or the Chief, Safety and Health Management Division, Office of Finance and Management. Individuals must provide the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Social Security Number.
d. Identification number (if known).
e. Approximate date of record.
f. USDA agency and position title.

Record access procedures:

Individuals should contact the Chief, Safety and Health Management Division, Office of Finance and Management, 14th and Independence Avenue, SW., Washington, DC 20250.

Record source categories:

Records in this system are obtained from:

a. The individual to whom the records pertain.
b. Agency employees involved in the selection and notification of individuals to be tested.
c. Laboratories that test urine specimens for the presence of illegal drugs.
d. Supervisors, managers and other agency officials.

Systems exempted from certain provisions of the act:

None.

USDA/OFM-2

System name:

Employee Counseling Services Program Records.

System location:

U.S. Department of Agriculture, Office of Finance and Management, Safety and Health Management Division, 14th and Independence Avenue, SW., Washington, DC 20250, and USDA agencies.

Note. In order to meet the statutory requirement that agencies provide appropriate prevention, treatment, and rehabilitaiton programs and services for employees with alcohol or drug problems, and to better accommodate establishment of a health service program to promote employees' physical and mental fitness, it may be necessary for an agency to negotiate for use of the counseling staff of another Federal, State, or local government, or private sector agency or institution. This system also covers records on USDA employees that are maintained by another Federal, State, or local government, or private sector agency or institution under such a negotiated agreement.

Categories of individuals covered by the system:

Current and former USDA employees and Farm Credit System Assistance Board employees who have been counseled or otherwise treated regarding alcohol or drug abuse or for personal or emotional health problems.

Categories of records in the system:

Records in this system include documentation of visits to employee counselors (Federal, State, local government, or private) and the diagnosis, recommended treatment, results of treatment, and other notes or records of discussions held with the employee made by the counselor. Additionally, records in this system may include documentation of treatment by a private therapist or a therapist at a Federal, State, local government, or private institution.

Authority for maintenance of the system:

5 U.S.C. 7361 et seq., 5 U.S.C. 7901, and 42 U.S.C. 290dd-3 and 290ee-3.

Purpose(s):

These records are used to document the nature of the individual's problem and progress made and to record an individual's participation in the results of community or private sector treatment or rehabilitation programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be disclosed:

1. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States, when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of USDA (and, with respect to Farm Credit System Assistance Board employees, because of activities of the Farm Credit System Assistance Board) in connection with the individual.

2. To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report or otherwise disclose patient indentities in any manner (when such records are provided to qualified researchers employed by USDA, all patient identifying information shall be removed).

Note: Disclosure of these records beyond officials of USDA or the Farm Credit Assistance Board having a bona fide need for them or to the person to whom they pertain, is rarely made as disclosures of information pertaining to an individual with a history of alcohol or drug abuse must be limited in compliance with 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records. Records pertaining to the physical and mental fitness of employees are, as a matter of policy, afforded the same degree of confidentiality and are generally not disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the name of the individual subjects of the records.

Retention and disposal:

Employee records are maintained for 3 to 5 years after the employee's last contact with USDA's Employee Counseling Services Program or, if the employee leaves the agency, until the Employee Counseling Services Program Annual Report for the fiscal year in which separation occurred is prepared. Records are destroyed by shredding or burning.

Safeguards:

These records are maintained in locked file cabinets labeled confidential with access strictly limited to employees directly involved in USDA alcohol and drug abuse prevention function (as the term is defined in 42 CFR Part 2) and the Employee Counseling Services Program.

System manager(s) and address:

Chief, Safety and Health Management Division, Office of Finance and Management, 14th and Independence Avenue, SW., Washington, DC 20250.

Notification procedure:

USDA employees wishing to inquire whether this system of records contains information about them should contact the USDA Employee Counseling Services Program Manager or their Agency Counseling Services Program Coordinator who arranged for counseling or treatment. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. USDA agency for whom employed.

An individual must also follow the Privacy Act regulations regarding verification of identify and access to records (7 CFR 1.112 and 1.113).

Record source categories:

Information in this system of records comes from the individual to whom it applies, the supervisor of the individual if the individual was referred by a supervisor, the Employee Counseling Services Program Staff member who records the counseling session, and therapists or institutions providing treatment.

Systems exempted from certain provisions of the act:

None.

USDA/OFM-3

System name:

Administrative Billings and Collections, USDA/OFM.

System location:

National Finance Center, OFM, USDA, New Orleans, Louisiana 70160.

Categories of individuals covered by the system:

Individuals (including current and former USDA employees) who are indebted to the Department for any reason.

Categories of records in the system:

This automated system establishes a master file containing the debtor's name, address, social security number of assigned vendor number, amount of indebtedness, amount of current collection, and amount of total billing. Eventually, these records are transferred to a history file for inquiry use. Information regarding debts subject to IRS offset, claims on travel advances, and delinquent debtor names and social security numbers used in computer matches with the Department of Defense and the United States Postal Service are kept separate from the administrative billings and collections data base in a manually updated claims data base.

Authority for maintenance of the system:

31 U.S.C. 3711 through 3719; 4 CFR Chapter II.

Purpose(s):

The records in this system are used to issue bills and collect funds due to the Government in compliance with the Debt Collection Act of 1982, Pub. L. No. 97-365, 96 Stat. 1749, as amended by Pub. L. No. 98-167, 97 Stat. 1104.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her indvidual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records of the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made on behalf of the individual.

(5) Information will be forwarded to another Federal agency when a USDA employee accepts employment with another Federal agency.

(6) Referral of information regarding indebtedness to the Defense Manpower Data Center, Department of Defense, and the United States Postal Service for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their payments of debts owed to the U.S. Government in order to collect debts by voluntary repayment, administrative or salary offset procedures under the provisions of 5 U.S.C. 5514, or through collection agencies under the provisions of 31 U.S.C. 3718.

(7) Information contained in this system of records may be disclosed to a debt collection agency, when USDA determines such referral is appropriate for collecting the debtor's account as provided for in U.S. Government contracts with collection agencies executed pursuant to 31 U.S.C. 3718.

(8) Where prior collection efforts have failed, the USDA will refer to the Internal Revenue Service (IRS) information from this system of records concerning past-due legally enforceable debts for offset against tax refunds that may become due the debtors for the tax year in which referral is made, in accordance with IRS regulation at 26 CFR 301.6402-6T, Offset of Past-due Legally Enforceable Debt Against Overpayment, and under the authority contained in 31 U.S.C. 3720A.

Purpose(s):

Information contained in this system of records may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tape files, disk files, and in file folders at the National Finance Center addressed above.

Retrievability:

Records in the administrative billings and collections data base are retrieved by social security number and by name of individual; equivalent identifying number in case of non-USDA employees. Records in the claims data base are retrieved by claim number.

Safeguards:

Magnetic tape files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel only. On-line access by National Finance Center and other agency personnel is password protected.

Retention and disposal:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred to the Federal Records Center for storage and disposition in accordance with General Services Administration regulations.

System manager(s) and address:

Director, National Finance Center, OFM, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Notification procedure:

Any indivdual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: Name, address, social security number and particulars involved (i.e., dates of claims, copies of correspondence, etc.).

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him/her by submitting a written request to the System Manager.

Record source categories:

Information in this system comes primarily from USDA employees, former USDA employees, non-USDA employees, agency claimants, and USDA or other investigative personnel.

USDA/OFM-4

System name:

Travel and Transportation System, USDA/OFM.

System location:

National Finance Center, OFM, USDA, New Orleans, Louisiana 70160.

Categories of individuals covered by the system:

Individuals who have funds advanced to them for official travel use, individuals who have U.S. Government Transportation Requests assigned to them for purchasing tickets to be used for official travel, approving officials, and individuals who perform official USDA travel and are reimbursed with Government funds are included in this system.

Categories of records in the system:

This system consists of complete files on advances to and repayments by individuals, assignment and use of Government Transportation Requests by individuals, and payments for official travel to individuals.

Authority for maintenance of the system:

5 U.S.C. Chapter 57; FPMR 101-7.

Purpose(s):

The records in this system are used to process employee travel advances and reimbursements and to process payments for services provided by common carriers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made on behalf of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer tapes, disks and in file folders at the National Finance Center addressed above.

Retrievability:

Records are retrieved by Social Security Number and by name of individual.

Safeguards:

Magnetic tape files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel only. On-line access by National Finance Center and agency personnel is password protected.

Retention and disposal:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred to the Federal Records Center for storage and disposition in accordance with General Services Administration regulations.

System manager(s) and address:

Director, National Finance Center, OFM, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: Name, address, social security number and particulars involved.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may obtain information on procedures for contesting a record in the system that pertains to him/her by submitting a written request to the System Manager.

Record source categories:

Information in this system comes primarily from individuals who request advances prior to travel, submit Travel Vouchers for reimbursement after travel is performed, or request Government Transportation Requests for use in purchasing passenger tickets. Some of the information is obtained from the payroll and personnel systems maintained by the National Finance Center.

USDA/OFM-5

System name:

Imprest Fund Payment System, USDA/OFM.

System location:

National Finance Center, OFM, USDA, New Orleans, Louisiana 70160.

Categories of individuals covered by the system:

All USDA imprest cashiers and alternates and USDA employees designated as chiefs of field party.

Categories of records in the system:

This automated system establishes master files containing the name, social security number, employment address and telephone, and amount of advance for each cashier, alternate cashier, and chief of field party. It also includes records of disbursements, reimbursements, accountability reports and verification, and audit of funds.

Authority for maintenance of the system:

31 U.S.C. 3322, and 3321; I TFM 4-3000.

Purpose(s):

The records in this system are used to process advances and reimbursement vouchers for imprest fund cashiers and chiefs of field parties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof, or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her individual capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to any inquiry from the congressional office made on behalf of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on microfilm cartridges, magnetic tape files, disk files, and file folders.

Retrievability:

Records are retrieved primarily by social security number of the individual cashier, alternate cashier, or chief of party; and secondarily by imprest fund number.

Safeguards:

Magnetic tapes files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel only. On-line access by National Finance Center and agency personnel is password protected.

Retention and disposal:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred to the Federal Records Center for storage and disposition in accordance with General Services Administration regulations.

System manager(s) and address:

Director, National Finance Center, OFM, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: Name, address, social security number and particulars involved (i.e., date and type of document in question, etc.).

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may obtain information on procedures for contesting a record in the system that pertains to him/her by submitting a written request to the System Manager.

Record source categories:

Information in this system is derived from documents submitted by USDA agencies.

USDA/OFM-6

System name:

Uniform Allowance System, USDA/OFM.

System location:

National Finance Center, OFM, USDA, New Orleans, Louisiana 70160.

Categories of individuals covered by the system:

All USDA employees (except Forest Service) entitled to and receiving allowances for the purchase of uniforms. Forest Service employees are covered by another system of records, USDA/FS-3, Uniform Allowance System, published in the Federal Register on October 20, 1986 (Vol. 51, No. 202 p. 37208).

Categories of records in the system:

This system consists of complete files on advances, accruals, and payments to individuals within the Department for uniform allowances.

Authority for maintenance of the system:

5 U.S.C. 301 and 5 U.S.C. 5901 through 5903.

Purpose(s):

The records in this system are used to process advances, accruals, and payments of uniform allowance.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department

of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made on behalf of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer tapes, disks and in file folders at the National Finance Center addressed above.

Retrievability:

Records are indexed by name and social security number of individual employee.

Safeguards:

Magnetic tape files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel. On-line access by National Finance Center and agency personnel is password protected.

Retention and disposal:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred for storage and disposition to the Federal Records Center in accordance with General Services Administration regulations.

System manager(s) and address:

Director, National Finance Center, OFM, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: Name, address, social security number and particulars involved.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him/her by submitting a request to the System Manager.

Record source categories:

Information in this system comes from USDA agency records.

USDA/OFM-7

System name:

SF-1099 Reporting System, USDA/OFM.

System location:

National Finance Center, OFM, USDA, New Orleans, Louisiana 70160.

Categories of individuals covered by the system:

Individuals (excluding USDA employees) who receive payments in the form of rents, royalties, prizes or awards; individuals (excluding USDA employees) who receive payments for non-personal service contracts, commissions, or compensation for services which are subject to SF-1099 reporting requirements.

Categories of records in the system:

The automated system establishes a master file containing the individual's name, address, social security number (or employer identification number), ZIP code, amount of payment, and other information necessary to accurately identify covered payment transactions applicable to SF-1099 reporting requirements.

Authority for maintenance of the system:

26 U.S.C. 6011 and 6109, and 26 CFR 301.6109-1.

Purpose(s):

The records in this system are used to accumulate payments made to individuals that are subject to Form 1099 tax reporting.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity, or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made on behalf of the individual.

(5) Information from this system of records will be forwarded to the Internal Revenue Service for income tax purposes.

(6) Release of information to other USDA agencies for internal processing purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer tapes, disks and in file folders at the National Finance Center addressed above.

Retrievability:

Records are retrieved by social security or employee identification number.

Safeguards:

Magnetic tape files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel only. On-line access by National Finance Center and agency personnel is password protected.

Retention and disposal:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred to the Federal Records Center for storage and disposition in accordance with General Services Administration regulations.

System manager(s) and address:

Director, National Finance Center, OFM, USDA, P.O. Box 60,000, New Orleans, Louisiana 70160.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: Name, address, social security number and particulars involved (i.e., transaction dates, copies of relevant transaction documentation, etc.).

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

Contesting record procedures:

Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him/her by submitting a written request to the System Manager.

Record source categories:

Information in this system comes primarily from individuals who provide covered goods or services to USDA agencies.

USDA/OGC—1

System name: Cases against the Department under the Federal Meat Inspection Act, the Poultry Products Inspection Act, the voluntary inspection, meat and poultry grading, and certification provisions of the Agricultural Marketing Act of 1946, and related laws, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Acts who bring suit against the Government or a Government official pursuant to, or as a consequence of the Department's administration of, the subject Acts.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Acts.

Authority for maintenance of the system: 21 U.S.C. 601 et seq., 21 U.S.C. 451 et seq., 7 U.S.C. 1621 et seq., and 7 U.S.C. 450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administration tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Regulatory Division, OGC, USDA, Washington, D.C., telephone 202-447-5550. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—2

System name: Cases against the Department under the Humane Methods of Livestock Slaughter law (i.e., the Act of August 27, 1958), USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Government official pursuant to, or as a consequence of the Department's administration, the subject Act.

Categories of records in the system: The system consits of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Act.

Authority for maintenance of the system: 7 U.S.C. 1901-1906.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Regulatory Division, OGC, USDA, Washington, D.C., telephone 202-447-5550. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—3

System name: Cases against the Department under the 28 Hour Law, as amended, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Act.

Authority for maintenance of the system: 45 U.S.C. 71-74.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Regulatory Division, OGC, USDA, Washington, D.C., telephone 202-447-5550. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—4

System name: Cases against the Department under the various Animal Quarantine and related laws, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Acts.

Authority for maintenance of the system: 21 U.S.C. 101-135b, 19 U.S.C. 1306, 1202, 46 U.S.C. 466a-466b, and 7 U.S.C. 450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Regulatory Division, OGC, USDA, Washington, D.C., telephone 202-447-5550. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—5

System name: Cases against the Department under the various Plant Protection and Quarantine and related laws, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Acts who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Acts.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Acts.

Authority for maintenance of the system: 7 U.S.C. 145, 147a, 148-148e, 149, 150-150g, 150aa-150jj, 151-165, 167, 166, 281-282, 450, 1651-1656, 2801-2813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Regulatory Division, OGC, USDA, Washington, D.C., telephone 202-447-5550. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—6

System name: Cases by the Department under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the voluntary inspection, meat and poultry grading, and certification provisions of the Agricultural Marketing Act of 1946, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Acts and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system: 21 U.S.C. 601 et seq., 21 U.S.C. 451 et seq., and 7 U.S.C. 1621 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the reponsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—7

System name: Cases by the Department under the Humane Methods of Livestock Slaughter Law (i.e., the Act of August 27, 1958), USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 1901-1906.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—8

System name: Cases by the Department under the 28 Hour Law, as amended, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 45 U.S.C. 71-74.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant therto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office of file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—9

System name: Cases by the Department under the various Animal Quarantine and related laws, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Acts and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system: 21 U.S.C. 101-135b, 19 U.S.C. 1306, 1202, and 46 U.S.C. 466a-466b.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director of Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—10

System name: Cases by the Department under the various plant protection and quarantine and related laws, USDA/OGC.

System location: Office of the General Counsel, Regulatory Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Acts and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Acts.

Authority for maintenance of the system: 7 U.S.C. 145, 147a, 148-148e, 149, 150-150g, 150aa-150jj, 151-165, 167, 166, 281-282, 1651-1656, 2801-2813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director of Regulatory Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—11

System name: Community Development Division Litigation, USDA/OGC.

System location: Office of the General Counsel, USDA 14th and Independence Ave., SW, Washington, D.C. 20250, and offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas. Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Past and present parties to litigation involving FmHA program participants and parties against whom litigation was proposed but not commenced.

Categories of records in the system: The system consists of records on individual litigation cases, sometimes including FmHA loan dockets, copies of documents filed with State and Federal agencies, court records, legal opinions, correspondence, investigation reports, contracts, and related documents.

Authority for maintenance of the system: 5 U.S.C. 201, 42 U.S.C. 1471-1490; 4401-19; 4453-55 and 7 U.S.C. 1021-29.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (3) Referral to Department of Justice for suits against the United States or its officers or instrumentalities concerning USDA activities. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders in file cabinets.

Retrievability: Records are indexed by name; sometimes cross-indexed.

Safeguards: Files stored in Attorney's office.

Retention and disposal: Files sent to Federal Records Center when cases are closed, some retained indefinitely for research purposes.

System manager(s) and address: Director, Community Development Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or the appropriate Regional Attorney or Attorney-in-Charge. A request should indicate the name, address and particulars involved.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the System Manager or appropriate Regional Attorney or Attorney-in-Charge.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Records in this system come from Federal and State courts, witnesses, agency employees, attorney, title companies, Farmers Home Administration loan, grant, and applicant dockets, and the Department of Justice.

Systems exempted from certain provisions of the act: Those records in this system which consist of investigatory material compiled for law enforcement purposes have been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—12

System name: Farmers Home Administration (FmHA) General Case Files, USDA/OGC.

System location: Offices of Regional Attorneys and Attorney-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Primarily applicants for FmHA financial assistance and FmHA borrowers and grantees; in some regional offices also parties to litigation, purchasers of FmHA security property, vendors to FmHA borrowers, contractors and builders of FmHA financed projects, packagers of FmHA loan dockets, real estate salesmen and brokers dealing with FmHA property applicants or having a security interest in property owned or financed or to be financed by FmHA or to whom FmHA notes are assigned, present and former owners and holders of an interest in real property serving as security for FmHA loans, third party converters, and individuals who file claims against FmHA.

Categories of records in the system: Records on individual applicant, borrower or grantee cases, sometimes including FmHA loan dockets, copies of promissory notes and security instruments, title evidence, legal opinions, correspondence, investigation reports, contracts, pleadings, legal documents covering foreclosures and loan or grant making or servicing, title opinions, contracts, closing instructions, notices, and related documents.

Authority for maintenance of the system: 5 U.S.C. 301, 42 U.S.C. 1471-1490, 4401-19; 4453-55 and 7 U.S.C 1921-92.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral of certain records to trustees for reconveyance or foreclosure of deeds of trust, or correction of errors, to appropriate State and County officials for recording or filing of legal documents, to title companies or Bureau of Indian Affairs for title clearance, to appropriate agencies and individuals for institution of nonjudicial foreclosure and other loan servicing and liquidation actions, and to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (2) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (3) Referral to Department of Justice for suits against the United States or its officers or instrumentalities concerning USDA activities. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the addresses listed above.

Retrievability: Records are usually indexed by the name of the individual on whom the file is maintained. In some instances records are maintained in numerical order corresponding to the FmHA account number. In some instances they are also cross-indexed by the names of individuals mentioned in the files.

Safeguards: Records are kept in locked offices. Secretive materials such as Office of Investigation reports are kept in locked drawers or file cabinets.

Retention and disposal: Records are usually retained for 12 to 18 months after the case is closed. In some Regional Offices certain records are maintained indefinitely, primarily for research value.

System manager(s) and address: Appropriate Regional Attorney or Attorney-in-Charge.

Notification procedure: Any individual may request information regarding this system of records, or information whether the system contains records pertaining to him from the appropriate System Manager. A request should contain the name and address of the individual involved and as much other identifying information as possible.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request for same to the appropriate System Manager at the above address.

Contesting record procedures: Same as Records Access Procedures.

Record source categories: Information in this system comes primarily from applicants, borrowers, grantees, FmHA or other USDA employees, attorneys, credit reporting agencies, title companies, and State and Federal government agencies.

Systems exempted from certain provisions of the act: Those records in this system which consist of investigatory material compiled for law enforcement purposes have been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H) and (I), and (f). See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—13

System name: Claims by and Against USDA under the Food Assistance Legislation, USDA/OGC.

System location: Office of the General Counsel, Food and Nutrition Division, USDA, Washington, D.C. and Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; Raleigh, North Carolina; San Francisco, California; Santurce, Puerto Rico; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel".

Categories of individuals covered by the system: Individuals who seek to participate in the Food Stamp Act of 1964; National School Lunch Act, or Child Nutrition Act of 1966, and individuals reported to be in violation of one or more of these acts.

Categories of records in the system: The system consists of files on all individual cases, including investigation reports, pleadings, transcripts, legal correspondence, statements of witnesses, and related documents.

Authority for maintenance of the system: 7 U.S.C. 2011-2026; 42 U.S.C. 1751-1763; 42 U.S.C. 1771-1786.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (2) Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. (3) Referral to the Department of Justice for defense of suits brought against the United States or its officers, and for institution of suit for recovery of claims by USDA. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable locations listed above.

Retrievability: Records are indexed by the name of the individual involved.

Safeguards: Records are kept in a locked office file cabinet.

Retention and disposal: Records are maintained for a length of time left to the discretion of the Director of the Food and Nutrition Division or Regional Attorney or Attorney-in-Charge, after legal action has been concluded.

System manager(s) and address: Director, Food and Nutrition Division, OGC, USDA, Washington, D.C. 20250. Each Regional Attorney or Attorney-in-Charge at the locations specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Food and Nutrition Division, OGC, USDA, Washington, D.C., telephone 202-447-4631, or the appropriate Regional Attorney or Attorney-in-Charge at the locations specified above. A request for information pertaining to an individual should contain his name, address, and the particulars involved (i.e. the date of any action complained of, date a claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may obtain information concerning the process for contesting a record in the system that pertains to him by following the procedures referred to directly above.

Record source categories: Information in this system comes primarily from claimants, witnesses, agency employees, and investigative personnel.

Systems exempted from certain provisions of the act: The portions of the system consisting of investigatory material that has been compiled for law enforcement purposes have been exempted pursuant to 5 U.S.C. 552a(k)(2), from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). Individual access to these files could impair investigations and alert the subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action. Disclosure of investigative technique and procedures, and of the identity of confidential sources of information, would hamper law enforcement activity.

USDA/OGC—14

System name: Perishable Agricultural Commodities Act, USDA/OGC—disciplinary proceedings to deny issuance of a license to an applicant thereunder or to suspend or revoke a license already issued, or to publish the facts and circumstances of violations of the Act.

System location: Office of the General Counsel, Food and Nutrition Division, USDA, Washington, D.C., and offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Missoula, Montana; Atlanta, Georgia; Ogden, Utah; Chicago, Illinois; Portland, Oregon; Denver, Colorado; Harrisburg, Pennsylvania; San Francisco, California; Santurce, Puerto Rico; Little Rock, Arkansas; Shawnee Mission, Kansas; Milwaukee, Wisconsin; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who apply for or who hold licenses to do business in the perishable agricultural commodities industry in their individual capacities, partners of partnerships which apply for or which hold licenses to do business in the perishable agricultural commodities industry; officers, directors and holders of 10 percent or more of the stock of corporations which apply for or hold licenses to do business in the perishable agricultural commodities industry under the Perishable Agricultural Commodities Act of 1930, as amended, are included in this system of records.

Categories of records in the system: The system consists of reports of investigation, statements of witnesses, agency reports.

Authority for maintenance of the system: 7 U.S.C. 499a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use by the Office of the General counsel for (1) administrative proceedings pursuant to the Administrative Procedure Act to deny the issuance of a license to an applicant therefor to do business in the perishable agricultural commodities industry; (2) administrative proceedings pursuant to the Administrative Procedure Act to suspend or revoke an already existent license, or alternatively to have the facts and circumstances of violations published for violations thereof by the holder of such license; (3) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the addresses listed above.

Retrievability: Records are indexed by name of individual license applicant or holder.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Food and Nutrition Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the addresses specified above.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or to escape administrative procedures to deny to them the issuance of a license or to suspend or revoke such license, or to have published the facts and circumstance of the violations. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—15

System name: Agricultural Stabilization and Conservation Service (ASCS), Foreign Agricultural Service (FAS), Office of the General Sales Manager (OGSM) and Commodity Credit Corporation (CCC) cases, USDA/OGC.

System location: Office of the General Counsel, Washington, D.C., and/or Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California: Santurce, Puerto Rico; Shawnee Mission, Kansas; Milwaukee, Wisconsin; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who apply for and/or receive marketing quotas or acreage allotments from ASCS, or loans, payments, credits or indemnities from ASCS, FAS, OGSM or CCC; or who apply for and/or enter into contracts or agreements with ASCS, FAS, OGSM or CCC or participate in programs financed or administered by ASCS, FAS, OGSM or CCC, or who violate or may have violated ASCS, FAS, OGSM or CCC regulations, federal or state laws, or who may otherwise be involved in litigation with ASCS, FAS, OGSM or CCC.

Categories of records in the system: Contains files on individual cases, including but not limited to the original or copies of loan applications, program forms, security agreements, mortgages, notes, program participation agreements, repayment records, financial status reports, statements of account, collector's contact report, agency recommendations for making, servicing or liquidating loans, collection of civil penalties, readjustment of allotments and quotas, contracts, closing instructions, legal opinions, title evidence, investigation reports, agency recommendation for the institution of respondence and material, intradepartmental memos and interdepartmental letters, pleadings, transcripts of hearings, and other legal documents.

Authority for maintenance of the system: 7 U.S.C. 135b note, 442-449, 612c-3, 624, 1110-1162, 1282-1292, 1301-1393, 1421-1449, 1692, 1701-1710, 1721-1725, 1731-1736e, 1707a, 1781-1787, 1851-1857; 15 U.S.C. 713a, 714-714p; 16 U.S.C. 590g-590q, 1501-1510; 18 U.S.C. 286-287, 371, 1001; 19 U.S.C. 1202 Note, 31 U.S.C. 231-235; 7 CFR 2.31, Part 6, Part 16, Part 17, Part 20, Part 700-896, Chap. XIV, 22 CFR Part 211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the U.S. Department of Justice for defense of suits brought against the United States, its agencies or its officers, and for institution of suits for recovery of claims by USDA or CCC; (2) referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (3) referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable addresses listed above.

Retrievability: Records are indexed by name of individual on whom the file is primarily maintained. In some instances, they are also cross indexed by the names of other individuals mentioned in the files.

Safeguards: Records are kept in a locked office, locked file cabinet or locked drawers.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Foreign Agriculture and Commodity Stabilization Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Foreign Agriculture and Commodity Stabilization Division, OGC, USDA, Washington, D.C., 20250, telephone 202-447-2562, or the appropriate Regional Attorney or Attorney-in-Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Foreign Agriculture and Commodity Stabilization Division, OGC, USDA, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain his name, address, and particulars involved.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request for same to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as record access procedures.

Record source categories: From individuals categorized above, referring agency, employees, farmers, warehousemen, borrowers, loan applicants, title companies, title and lien searches, investigative personnel, attorneys, and from others.

Systems exempted from certain provisions of the act: The portion of this system which consist of investigatory material compiled for law enforcement purposes, has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). See 7 CFR 1.123. Individual access to these files could (1) impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution; and (2) disclose investigative techniques and procedures and the existence and identity of confidential sources.

USDA/OGC—16

System name: Federal Crop Insurance Corporation (FCIC) Cases, USDA/OGC.

System location: Office of the General Counsel, Washington, D.C. and/or Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Portland, Oregon; Chicago, Illinois; San Francisco, California; Denver, Colorado; Shawnee Mission, Kansas; Harrisburg, Pennsylvania; Stillwater, Oklahoma; Little Rock, Arkansas; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States

Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who apply for and/or have insurance contracts with the FCIC; who have delinquent premiums or are otherwise indebted to FCIC; who have indemnity claims against FCIC; who are suspected of fraudulent dealings with FCIC; who violate or may have violated FCIC regulations, federal or state laws; or who may otherwise be involved in litigation with FCIC.

Categories of records in the system: Contains files on individual cases, including but not limited to the originals or copies of insurance contracts (application, policy and endorsements), reports of FCIC personnel with respect to the application, claims for indemnities or other matters pertaining to the contract, program forms, acreage reports, production records, statements of account, financial report, collector's contact report, agency recommendation for services, agency recommendation for the institution of criminal and civil action, investigation reports, correspondence, legal opinions, various correspondence and material, intra- and inter-departmental memos and letters, transcripts of hearings, pleadings and other legal documents.

Authority for maintenance of the system: 7 U.S.C. 1501-1520; 18 U.S.C. 657-658, 1001, 1006, 1014, 1903; 31 U.S.C. 231; 7 CFR 2.31, 401-413.25

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the U.S. Department of Justice for defense of suits brought against the United States, its agencies, or its officers, and for institution of suits for recovery of claims by USDA; (2) referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (3) referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. (4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual on whom the file is primarily maintained. In some instances, they are also cross indexed by the names of other individuals mentioned in the files.

Safeguards: Records are kept in a locked office, locked cabinets or locked drawers.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Foreign Agricultural and Commodity Stabilization Division, OGC, USDA, Washington, D.C. 20250, or the appropriate regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Foreign Agriculture and Commodity Stabilization Division, OGC, USDA, Washington, D.C., telephone 202-447-2562, or the appropriate Regional Attorney or Attorney-in-Charge at the address listed above. If the specified location of the record is not known, the individual should address his request to the Director, Foreign Agricultural and Commodity Stabilization Division, OGC, USDA, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain his name, address, and particulars involved.

Record access procedures: Any individual may obtain information as to the procedure for gaining access to a record in the system which pertains to him by submitting a written request for same to the appropriate official referred in the preceding paragraph.

Contesting record procedures: Same as for record access procedures.

Record source categories: From individuals categorized above, referring agency employees, farmers, investigative personnel, attorneys and from others.

Systems exempted from certain provisions of the act: The portion of this system which consist of investigatory material compiled for law enforcement purpose has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). See 7 CFR 1.123. Individual access to these files could (1) impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution; and (2) disclose investigative techniques and procedures and the existence and identity of confidential sources.

USDA/OGC—17

System name: Administrative proceedings brought by individuals pursuant to the Plant Variety Protection Act or the Egg Products Inspection Act, as amended, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated by the subject Act who file a petition with the Secretary pursuant to the authority of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2321 et seq. or 21 U.S.C. 1044 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—18

System name: Administrative proceedings brought by the Department pursuant to the Plant Variety Protection Act, the Federal

Seed Act, or the Agricultural Marketing Act of 1946, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2321 et seq., 7 U.S.C. 1561 et seq. or 7 U.S.C. 1621 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—19

System name: Administrative proceedings brought pursuant to the authority of section 8c(15)(a) of the Agricultural Marketing Agreement Act of 1937, as amended, or the Anti-Hog-Cholera Serum and Hog Cholera Virus Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated by the subject Act who file a petition with the Secretary of Agriculture pursuant to the authority of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations.

Authority for maintenance of the system: 7 U.S.C. 601 et seq. or 7 U.S.C. 851 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—20

System name: Administrative proceedings brought pursuant to the authority of the Cotton Research and Promotion Act, the Potato Research and Promotion Act or the Egg Research and Consumer Information Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated by the subject Act who file a petition with the Secretary of Agriculture pursuant to the authority of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2101 et seq., 7 U.S.C. 2611 et seq. or 7 U.S.C. 2701 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—21

System name: Administrative proceedings brought pursuant to the Tobacco Inspection Act or the United States Grain Standards Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who file a petition pursuant to the authority of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 511 et seq., 7 U.S.C. 71 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the proceeding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—22

System name: Cases brought by the Government pursuant to the Cotton Futures provisions of the Internal Revenue Code of 1954, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Acts and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 26 U.S.C. 4851-54, 61-65, 71-73, 75-77, 6001, 6804, 7233, 7263, 7493, 7701(a)(1), (11), (12).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director of Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—23

System name: Cases brought pursuant to the United States' Grain Standards Act or the Federal Seed Act in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated or not regulated by the subject Act who bring suit against the Government or a Government official pursuant to, or as a consequence of the Department's administration of the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 71 et seq. or 7 U.S.C. 1561 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director of Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the proceeding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—24

System name: Court cases brought by the Government pursuant to either the Agricultural Marketing Act of 1946 or the Tobacco Inspection Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 1621 et seq. or 7 U.S.C. 511 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising in general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—25

System name: Court cases brought by the Government pursuant to either the Agricultural Marketing Agreement Act of 1937, as amended or the Anti-Hog-Cholera Serum and Hog Cholera Virus Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C., and Offices of Regional Attorneys, OGC, USDA, at the following locations: Atlanta, Georgia; Portland, Oregon; San Francisco, California; Temole, Texas. Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 601 et seq. or 7 U.S.C. 851 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising in general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—26

System name: Court cases brought by the Government pursuant to either the Cotton Research and Promotion Act, Potato Research and Promotion Act or the Egg Research and Consumer Information Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regarded by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2101 et seq., 7 U.S.C. 2611 et seq. or 7 U.S.C. 2701 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising in general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—27

System name: Court cases brought by the Government pursuant to either the Export Apple and Pear Act or the Export Grape and Plum Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regarded by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 581 et seq., or 7 U.S.C. 591 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising in general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—28

System name: Court cases brought by the Government pursuant to either the Cotton Statistics and Estimates Act of 1927 or the United States Cotton Standards Act, USDA/OGC.

best copy available

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regarded by the subject Act and against whom the Department recommends that an action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 471 et seq., or 7 U.S.C. 51 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising in general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

USDA/OGC—29

System name: Court cases brought by the Government pursuant to either the Naval Stores Act, or the Tobacco Seed and Plant Exportation Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 91 et seq., or 7 U.S.C. 516 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director of Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confiential sources of information would hamper law enforcement activity.

USDA/OGC—30

System name: Court cases brought by the Government pursuant to either the Peanut Statistics Act or the Tobacco Statistics Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 951 et seq. or 7 U.S.C. 501 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—31

System name: Court cases brought by the Government pursuant to either the Plant Variety Protection Act or the Egg Products Inspection Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2321 et seq. or 21 U.S.C. 1031 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or excape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—32

System name: Court cases brought by the Government pursuant to either the Produce Agency Act, or the Process or Renovated Butter Provisions of the Internal Revenue Code of 1954, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 491 et seq. or 26 U.S.C. 4817, 4826 and 7235(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—33

System name: Court cases brought by the Government pursuant to either the United States Grain Standards Act or the Federal Seed Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 71 et seq. or 7 U.S.C. 1551, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or excape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—34

System name: Court cases brought by the Government pursuant to the Agricultural Fair Practices Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2301 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the indiviual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—35

System name: Court cases brought pursuant to either the Cotton Research and Promotion Act, Potato Research and Promotion Act or the Egg Research and Consumer Information Act in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pusuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2101 et seq., 7 U.S.C. 2611 et seq. or 7 U.S.C. 270 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—36

System name: Court cases brought pursuant to the Agricultural Marketing Act of 1946 or the Tobacco Inspection Act in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 1621 et seq. or 7 U.S.C. 511 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—37

System name: Court cases brought pursuant to the authority of the Agricultural Marketing Agreement Act of 1937, as amended or the Anti-Hog-Cholera Serum and Hog Cholera Virus Act in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C., and Offices of Regional Attorneys, OGC, USDA, at the following locations: Atlanta, Georgia; Portland, Oregon; San Francisco, California; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 601 et seq. or 7 U.S.C. 851 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, Magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney at the address specified above.

Notification procedure: Any individual may request information regarding this system or records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935, or the appropriate Regional Attorney at the address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Marketing Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—38

System name: Court cases brought pursuant to the Plant Variety Protection Act or the Egg Products Inspection Act in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2321 et seq. or 21 U.S.C. 1031 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—39

System name: Cases against the Department under the Horse Protection Act of 1970, as amended, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to the subject Act.

Authority for maintenance of the system: 15 U.S.C. 1821 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—40

System name: Cases against the Department under the Laboratory Animal Welfare Act, as amended, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals regulated or not regulated by the subject Act who bring suit against the Government of a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2131 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.)

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—41

System name: Cases by the Department under the Horse Protection Act of 1970, as amended, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated or not regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 15 U.S.C. 1821 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This sytem has been exempted pursuant to 5 U.S.C. 552a (k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—42

System name: Cases by the Department under the Laboratory Animal Welfare Act, as amended, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 2131 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2 from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—43

System name: Administrative proceedings brought by the Department, court cases in which the Government is plaintiff and court cases in which the Government is a defendant brought pursuant to the United States Warehouse Act, USDA/OGS.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government or individuals regulated or not regulated by the subject Act who brings suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 241-273.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office of file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate record centers in accordance with such directives.

System manager(s) and address: Director Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Marketing Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witness, agency employees, and investigative personnel.

Systems exempted from certain provisions of the act: The portions of this system which involves records pertaining to administrative proceeding brought by the Department or court cases in which the Government is plaintiff has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (g), (h), (i) and (f) because they consist of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—44

System name: Cases by and against the Department under the Virus-Serum Toxin Act, USDA/OGC.

System location: Office of the General Counsel, Marketing Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government, and individuals regulated or not regulated by the subject Act who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations, pertaining to the subject Act and are an alleged violation of the subject Act.

Authority for maintenance of the system: 21 U.S.C. 151-158.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Marketing Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Marketing Division, OGC, USDA, Washington, D.C. telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system come primarily from witnesses, agency employees, and investigative personnel.

Systems exempted from certain provisions of the act: The portions of this system which involve cases by the Department under the Virus-Serum Toxin Act have been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), (I) and (f) because they consist of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—45

System name: Acquisitions—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel".

Categories of individuals covered by the system: Persons having or believed to have an interest in lands which are expected to be or have been acquired by the United States by condemnation, direct purchase, or donation, for the use of USDA agencies.

Categories of records in the system: Partial or complete records on individual cases, sometimes including legal opinions, correspondence, title evidence, deeds, affidavits, certificates of use and possession, pleadings, transcripts, and related documents.

Authority for maintenance of the system: 16 U.S.C. 460 1-4 through 460 1-11; 16 U.S.C. 473-482, 535, 551 and 555; 23 U.S.C. 205; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice for institution of condemnation proceedings, (2) title companies for title evidence, (3) notaries public for acknowledgement, and (4) appropriate State and County officials for filing or recording as required by law. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees and title companies.

USDA/OGC—46

System name: Claims, other than Tort claims, by or against the Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel".

Categories of individuals covered by the system: Individuals who have filed appeals relating to the breach of terms or provisions of a contract with the United States Forest Service.

Categories of records in the system: The system consists of files on individual appeals, including pleadings, agency reports, and correspondence.

Authority for maintenance of the system: 16 U.S.C. 471-2, 16 U.S.C. 551, 7 CFR Part 24, 36 CFR Part 211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in all phases of preparing and conducting hearings before the United States Department of Agriculture Board of Contract Appeals. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in this system, comes primarily from claimants, witnesses, agency employees, and investigative personnel.

USDA/OGC—47

System name: Contract Appeals—Forest Service—USDA/OGC.

System location: Office of the General Counsel, natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who have filed appeals relating to the breach of terms or provisions of a contract with the United States Forest Service.

Categories of records in the system: The system consists of files on individual appeals, including pleadings, agency reports, and correspondence.

Authority for maintenance of the system: 16 U.S.C. 471-2, 16 U.S.C. 551, 7 CFR Part 24, 36 CFR Part 211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in all phases of preparing and conducting hearings before the United States Department of Agriculture Board of contract Appeals. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in this system, comes primarily from the appellant, witnesses, agency employees, and private experts.

USDA/OGC—48

System name: Conveyances—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Parties or potential parties (1) to transactions involving the conveyance, reconveyance, exchange, quitclaim or other disposal of lands or interests therein owned or claimed by the United States in behalf of USDA agencies, (2) having boundary disputes with USDA agencies, and (3) claiming title to lands also claimed by the United States for the use of USDA agencies.

Categories of records in the system: Partial or complete records on individual cases, sometimes including legal opinions, correspondence, title evidence, deeds, affidavits, certificates of use and possession, pleadings, transcripts, and related documents.

Authority for maintenance of the system: 7 U.S.C. 1011(c); 7 U.S.C. 2253; 16 U.S.C. 460 1-8 and 460 q; 16 U.S.C. 485-486, 516, 519, 533, 555a, 565b, 567b; 40 U.S.C. 471, 484(c); 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The referral to (1) Department of Justice or United States Attorney for institution of ejectment or similar actions or to bring or defend quiet title actions, (2) title companies for title evidence, (3) notaries public for acknowledgment, and (4) appropriate State and County officials for filing or recording as required by law. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individuals."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees and title companies.

USDA/OGC—49

System name: Easements—Forest Service—USDA/OGC.

System location: Office of the General Counsel, natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons having or believed to have an interest in lands across which the United States has acquired or expects to acquire an easement by direct purchase or donation, for the use of USDA agencies.

Categories of records in the system: Partial or complete records on individual cases, sometimes including legal opinions, correspondence, title evidence, deeds, affidavits, certificates of use and possession, pleadings transcripts, and related documents.

Authority for maintenance of the system: 16 U.S.C. 532-538 and 551; 23 U.S.C. 205; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) title companies for title evidence, (2) notaries public for acknowledgment, and (3) appropriate State and County officials for filing or recording as required by law. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees and title companies.

USDA/OGC—50

System name: Forest Appeals--Forest Service—USDA/OGC.

System location: Office of the General Counsel, natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who have filed appeals with the United States Department of Agriculture Board of Forest Appeals.

Categories of records in the system: The system consists of files on individual appeals, including pleadings, agency reports, and correspondence.

Authority for maintenance of the system: 16 U.S.C. 471-2, 16 U.S.C. 551, 36 CFR Subpart B.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in all phases of preparing and conducting the hearings before the United States Department of Agriculture Board of Forest Appeals. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in this system comes primarily from the appellant, witnesses, agency employees, and private experts.

USDA/OGC—51

System name: General Case Files—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Parties involved or expected to be involved in negotiations, administrative appeals, litigation, or other attempts to resolve legal issues or disputes pertaining to those aspects of the organization, administration, regulations and other activities relating to the forestry and lands of the USDA not provided for under another system of OGC records. This includes but is not limited to land use planning, wilderness, forest practice, weather modification, and other environmental issues.

Categories of records in the system: Partial or complete records on individual cases sometimes including investigation reports, copies of contracts or permits, legal opinions, pleadings, transcripts, correspondence, notices of appeal, decisions of forest officers, witness statements, and related documents.

Authority for maintenance of the system: 16 U.S.C. 471-583, 661-63, 668aa-bb, 683, 1001-09, 1131-32 and 1271-75; 42 U.S.C. 4321-74; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to Department of Justice and United States Attorneys to defend suits brought against the Government or its officers. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by rule, regulation or order issued pursuant thereto. Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the

Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys and investigative personnel.

USDA/OGC—52

System name: Grazing—Forest Service—USDA/OGC

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons grazing, who have grazed, or who are expected to graze livestock on land owned by the United States and administered by USDA agencies.

Categories of records in the system: Partial or complete records on individual cases sometimes including investigation reports, copies of contracts or permits, legal opinions, pleadings, transcripts, correspondence, notices of appeal, decisions of the Board of Forest Appeals or Agriculture Board of Contract Appeals, and related documents.

Authority for maintenance of the system: 7 U.S.C. 1011; 16 U.S.C. 472 and 551; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to United States Attorney or Department of Justice to defend suits brought against the Government or its officers. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by rule, regulation or order issued pursuant thereto. Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys and investigative personnel.

USDA/OGC—53

System name: Insecticide, Fungicide, Herbicide, and Rodenticide Cases—Soil Conservation Service—USDA/OGC

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons claiming that certain existing or proposed United States Department of Agriculture activities involving the application of insecticides, pesticides, fungicides, rodenticides, herbicides, nematocides, defoliants, desiccants or plant regulators may be unlawful, and parties or potential parties to litigation or administrative hearings involving such activities.

Categories of records in the system: Partial or complete records files on individual cases, sometimes including investigation reports, copies of contracts or permits, pleadings, transcripts, correspondence, witness statements, legal opinions, and related documents.

Authority for maintenance of the system: 7 U.S.C. 135-36y; 42 U.S.C. 4321-74; 5 U.S.C. 301; 44 U.S.C. 3101; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice to defend suits brought against the Government or its officers and (2) Environmental Protection Agency (EPA) for administrative handling under the above-cited authority. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained or, in some instances, cross-indexed by the names of other individuals mentioned in the files.

Safeguards: Records are kept in locked offices, with pending case files and investigation reports being kept in locked drawers.

Retention and disposal: Records are retained up to 5 years after case is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The individuals in the system, agency and EPA employees, witnesses, attorneys, and investigative personnel.

USDA/OGC—54

System name: Land Acquisitions—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals from whom the Forest Service purchases a fee interest in real estate.

Categories of records in the system: The system consists of files on individual sellers of land, including options and title information.

Authority for maintenance of the system: 16 U.S.C. 515-517, 555, 4601-4609, and 7 U.S.C. 428a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in title clearance and acquisition closings. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in this system comes primarily from the individuals from whom the land is being purchased, abstract and title companies, and agency employees.

USDA/OGC—55

System name: Land Exchanges, General Exchange Act—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA; Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who have offered to exchange private lands for National Forest lands or National Grasslands.

Categories of records in the system: The system consists of files on individual exchanges, including offers, title information, and correspondence.

Authority for maintenance of the system: 16 U.S.C. 485, 486.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in title evaluation and exchange closings. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining accesss to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in the system comes primarily from the exchange proponent, title and abstract companies, and agency employees.

USDA/OGC—56

System name: Land Exchanges, other than Exchange Act—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who have offered to exchange private lands for National Forest lands or National Grasslands.

Categories of records in the system: The system consists of files on individual land exchanges, including title information and agency reports.

Authority for maintenance of the system: 16 U.S.C. 516, 555a and 484a, and many other general and specific acts authorizing land exchanges.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by attorneys in title examination and exchange closings. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The information in this system comes primarily from the land exchange proponent, title and abstract companies, and agency employees.

USDA/OGC—57

System name: Leases—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons leasing or intending to lease property to or from USDA agencies; persons occupying property subject to or under such leases or proposed leases, and persons having or claiming an interest in land covered by such leases or proposed leases.

Categories of records in the system: Partial or complete records on individual cases sometimes including investigation reports, copies of contracts, leases or permits, legal opinions, pleadings, transcripts, correspondence, and related documents.

Authority for maintenance of the system: 7 U.S.C. 1011(c); 16 U.S.C. 460d-2 and 580g; 43 U.S.C. 931c-d; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to Department of Justice and United States Attorneys to defend suits brought against the Government or its officers. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining accesss to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys and investigative personnel.

USDA/OGC—58

System name: Legislation—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons occupying USDA lands who are involved or expected to be involved in disputes concerning the applicability of Federal, State, or local civil or criminal legislation or administrative regulations to their activities or possessory interests.

Categories of records in the system: Partial or complete records on individual cases sometimes including investigation reports, copies of contracts or permits, legal opinions, pleadings, transcripts, correspondence, notices of appeals, decisions of forest officers, witnesses statements, and related documents.

Authority for maintenance of the system: 16 U.S.C. 471-583, 661-63, 668aa-bb, 683, 1001-09, 1131-32 and 1271-75; 42 U.S.C. 4321-74; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to Department of Justice and United States Attorneys to defend suits brought against the Government or its officers.

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys and investigative personnel.

USDA/OGC—59

System name: Minerals and Mining Claims—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana, Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons claiming mining or mineral rights on lands owned or claimed by the United States in behalf of USDA agencies; persons occupying or claiming an interest in such lands pursuant to such claims or under color thereof; persons having an interest in land in which the United States has reserved, or claims, minerals or mineral rights from the United States.

Categories of records in the system: Partial or complete records on individual cases, sometimes including notices of claim and related documents; copies of leases, contracts or permits; title evidence; investigation reports; pleadings; transcripts; legal opinions; correspondence; etc.

Authority for maintenance of the system: 16 U.S.C. 478, 482, 495, and 520; 30 U.S.C. 22-47, 141-42, 181, 351-59, 601-02, 611-15, 621, 701-08; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice or United States Attorney for institution of ejectment or similar actions or to bring or defend quiet title actions or other litigation pertaining to actual or claimed mineral rights, uses, or reservations; (2) Department of the Interior for performance of its functions under the foregoing-cited authority and related laws and for administrative determinations regarding the validity of mining claims; (3) evaluation and preparation of proposed mineral contests. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys, Department of the Interior employees and Administrative Law Judges, and investigative personnel.

USDA/OGC—60

System name: Program Cooperators—Soil Conservation Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisbury, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah, Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons applying for or receiving financial aid, engineering services, advice or assistance under Soil Conservation Service (SCS) - sponsored or financed programs; parties or potential parties to litigation or administrative hearings involving SCS-sponsored or financed programs; and parties contracting with soil conservation districts and similar organizations formed pursuant to state laws to pursue programs of watershed protection, flood prevention or soil conservation with the assistance of SCS.

Categories of records in the system: Partial or complete records, files on individual cases, sometimes including legal opinions, deeds, contracts, permits, title evidence, investigation reports, legal opinions, affidavits, pleadings, correspondence, transcripts and related documents.

Authority for maintenance of the system: 16 U.S.C. 590a-590f, 1001-1011; 5 U.S.C. 301; 44 U.S.C. 3101; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the United States Attorney or Department of Justice for the investigation or prosecution of a violation of law, or for the enforcement or implementation of statutes, rules, regulations or orders issued pursuant thereto, or for the defense of suits brought against the Department of Agriculture, the Soil Conservation Service, cooperating local organization or officers thereof; (2) a court, magistrate or administrative tribunal, or to assigning or opposing counsel in a proceeding before any of the above; (3) title companies for title evidence; and (4) appropriate state and local officials for filing or recording. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained or, in some instances, cross-indexed by the names of other individuals mentioned in the files.

Safeguards: Records are kept in locked offices, with pending case files and investigation reports being kept in locked drawers.

Retention and disposal: Records are retained up to 5 years after case is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of acting giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: The individuals in the system, agency employees, State and local officials, attorneys, witnesses, title companies, credit bureaus, and investigative personnel.

USDA/OGC—61

System name: Rights-of-Way—Acquisition—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals from whom the Forest Service purchases easements or rights-of-way for the forest roads and trails system.

Categories of records in the system: The system consists of options, title information and correspondence.

Authority for maintenance of the system: 16 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by attorneys in preparing and evaluating acquisition documents and title to the land on which the right-of-way lies. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Information in this system comes primarily from abstract and title companies, individual sellers and agency personnel.

USDA/OGC—62

System name: Special Uses—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon, San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Applicants for Forest Service special use permits, persons occupying land owned by the United States pursuant to such permits, and persons claiming under those persons.

Categories of records in the system: Partial or complete records on individual cases, sometimes including investigation reports, copies of contracts or permits, legal opinions, pleadings, transcripts, correspondence, notices of appeal, decisions of forest officers, witness statements, decisions of the Board of Forest Appeals or Agriculture Board of Contract Appeals, and related documents.

Authority for maintenance of the system: 16 U.S.C. 432, 497, 522, 551 and 580d; 43 U.S.C. 931c-d; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to United States Attorney or Department of Justice to defend suits brought against the Government or its officers. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys and investigative personnel.

USDA/OGC—63

System name: Timber Sales—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons contracting to purchase timber from the Forest Service and persons which the Forest Service seeks to debar from such contracting; Unsuccessful bidders at such sales and persons protesting awards or proposed awards of same; Individuals who have breached a provision of a timber contract or who have otherwise engaged in conduct which raises a legal question concerning timber sale administration.

Categories of records in the system: Partial or complete records on individual cases, sometimes including legal opinions, copies of timber sale agreements, notices of appeal, investigation reports, pleadings, decisions of the Board of Forest Appeals or Agriculture Board of Contract Appeals, transcripts, correspondence, and related documents.

Authority for maintenance of the system: 16 U.S.C. 476-77, 491 and 616; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the Department of Justice or United States Attorney to defend suits brought against the Government or its officers. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, forest officers, agency employees, witnesses, attorneys, and investigative personnel.

USDA/OGC—64

System name: Title Claims and Occupancy and Use Cases—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who file claims against USDA arising out of Forest Service land acquisitions under the Treaty of Paris, the Weeks Law and the Uniform Relocation Assistance and Real Property Acquisition Policies Act; and cases arising out of the occupancy and use of properties administered by the Forest Service in the Caribbean National Forest.

Categories of records in the system: The system consists of complete files on individual claims, including correspondence, claim forms, deeds, land surveys, aerial photographs, disclaimers, abstract of title reports, maps, statements of witnesses, agency reports.

Authority for maintenance of the system: 30 Stat. at Large, page 1754, Revised Stat. 1911, section 6503-6610, 36 Stat. 961, as amended, 16 U.S.C. 515-517, 5231, 46 Stat. 1516, 43 Stat. 1133, as amended, 16 U.S.C. 555, 70 Stat. 1034, 7 U.S.C. 428(a), 78 Stat. 903, as amended, 16 U.S.C. 4601-9, 42 U.S.C. 4601(6), 4601(8), 4621, 4622, 4651, 4653, 16 U.S.C. 476, 16 U.S.C. 478, 16 U.S.C. 529-531, 16 U.S.C. 477, 16 U.S.C. 491, 16 U.S.C. 481, 38 Stat. 1101, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) internal; (2) Department of Justice and United States Attorneys for defense of suits that may be brought against the United States. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed. then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Information in this system comes primarily from claimants, witnesses, agency employees, and investigative personnel.

USDA/OGC—65

System name: Trespass and Claims Cases—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons who have or are suspected of having committed trespasses, other torts, and breaches of contract on USDA lands involving unauthorized cutting of timber, occupancy and use, grazing, or removal of minerals; the negligent or willful setting of fires, and fire suppression costs; breaches of timber sales agreements and similar actions.

Categories of records in the system: Partial or complete files on individual cases, sometimes including copies of contracts or permits, investigation reports, statements of witnesses, pleadings, transcripts, legal opinions, correspondence, and related documents.

Authority for maintenance of the system: 16 U.S.C. 471-583, 661-63, 668aa-bb, 683, 1001-09, 1131-32 and 1271-75; 42 U.S.C. 4321-74; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to the Department of Justice and United States Attorney to defend suits brought against the Government or its officers. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, attorneys, and investigative personnel.

USDA/OGC—66

System name: United States Magistrates—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Alleged and convicted violators of Forest Service petty offense regulations (36 CFR Parts 211-95) and other minor offenses.

Categories of records in the system: Partial or complete records on individual cases, sometimes including copies of citations, pleadings, correspondence, and related documents.

Authority for maintenance of the system: 16 U.S.C. 472, 528-31 and 551; 18 U.S.C. 711 and 3401; 36 CFR Parts 211-95; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to United States Attorneys for consideration of criminal action by the Government and to Magistrates for trial. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily Forest officers, witnesses, attorneys, State and local law enforcement officers, and investigative personnel.

USDA/OGC—67

System name: Water Cases—Forest Service—USDA/OGC.

System location: Office of the General Counsel, Natural Resources Division, USDA, Washington, D.C. 20250. Offices of Regional Attorneys and Attorneys in Charge, Office of the General Counsel, USDA: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons claiming or believed to be claiming water rights, water use privileges, or rights-of-way to transport water (1) on land owned or leased by the United States and administered by USDA agencies, (2) in conflict with or from the same sources as water rights claimed or reserved by the United States for the benefit of USDA agencies, or (3) by reason of a permit from or agreement with USDA agencies.

Categories of records in the system: Partial or complete files on individual cases, sometimes including investigation reports, notices of claims, copies of contracts or permits, legal opinions, pleadings, transcripts, correspondence and related documents.

Authority for maintenance of the system: 16 U.S.C. 481, 524, 552a-552d, and 460 1-12; 33 U.S.C. 701b-1; 42 U.S.C. 1962-1962b; 43 U.S.C. 946-49 and 951.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to appropriate State agencies for administrative hearings and to the Department of Justice and United States Attorneys to defend suits brought against the Government or its officers.

Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto. Referral to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by the name of the individual on whom the file is primarily maintained.

Safeguards: All records are kept in locked offices. Investigation reports, personnel files, and other sensitive materials are also kept in locked drawers.

Retention and disposal: Records are retained up to five years after file is closed, then are destroyed unless retained for research value.

System manager(s) and address: Director, Natural Resources Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the applicable address specified in the foregoing.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager, or from the appropriate Regional Attorney or Attorney in Charge at the applicable address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Natural Resources Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the date of action giving rise to the claim, date claim was filed, correspondence, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Primarily the individuals in the system, agency employees, witnesses, State officials, attorneys, and investigative personnel.

USDA/OGC—68

System name: Court cases brought pursuant to the Packers and Stockyards Act, as amended, in which the Government is defendant, USDA/OGC.

System location: Office of the General Counsel, Packers and Stockyards Division, USDA, Washington, D.C.

Categories of individuals covered by the system: Individuals who bring suit against the Government or a Governmental official pursuant to, or as a consequence of the Department's administration of, the subject Act.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 181 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administritive tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Packers and Stockyards Division, OGC, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Packers and Stockyards Division, OGC, USDA, Washington, D.C., telephone 202-447-5935. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., the name of action filed, Act filed under, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from witnesses, agency employees, and investigative personnel.

USDA/OGC—69

System name: Packers and Stockyards Act—Administrative Cases—USDA/OGC.

System location: Office of the General Counsel, Packers and Stockyards Division, USDA, Washington, D.C., and Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Juneau, Alaska; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; St. Paul, Minnesota; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 181 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office or file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Packers and Stockyards Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the address specified above.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—70

System name: Packers and Stockyards Act—Civil and Criminal Cases—USDA/OGC.

System location: Office of the General Counsel, Packers and Stockyards Division, USDA, Washington, D.C., and Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Juneau, Alaska; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; St. Paul, Minnesota; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who are regulated by the subject Act and against whom the Department recommends that an enforcement action be brought by the Government.

Categories of records in the system: The system consists of investigatory material which may include intradepartmental recommendations, and interdepartmental recommendations pertaining to an alleged violation of the subject Act.

Authority for maintenance of the system: 7 U.S.C. 181 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) presentation or disclosure to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system as evidence in a proceeding, or which is sought in the course of discovery including disclosure to opposing counsel in the course of settlement negotiations; (3) presentation, as needed, in the course of presenting evidence, to the appropriate Government officials charged with the responsibility of defending the Government before a court, magistrate or administrative tribunal; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual.

Safeguards: Records are kept in a locked office of file cabinet.

Retention and disposal: Records are maintained until file is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Packers and Stockyards Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney in Charge at the address specified above.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) because it consists of investigatory material compiled for law enforcement purposes. See 7 CFR 1.123. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USCA/OGC—71

System name: Civil Rights, administrative and judicial actions—USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C., 20250, and Offices of Regional Attorneys and Attorneys-in-charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Temple, Texas; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who have brought suit or filed administrative complaints against USDA or USDA employees or recipients of USDA assistance alleging discrimination on the basis of race, color, or national origin by USDA, its employees or recipients of assistance from USDA.

Categories of records in the system: The system consists of complete files on individual suits or administrative actions, including investigation reports, administrative determinations, statements of witnesses, and agency reports.

Authority for maintenance of the system: 42 U.S.C. 2000(d); 5 U.S.C. 301; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice for defense or prosecution of suits brought involving USDA, an officer or employee of USDA, or the United States; (2) the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (3) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (4) the Civil Rights Commission in response to its request for information; (5) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional ofice made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records center in accordance with such directives.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system or records, or information as to whether the system contains records pertaining to him from the Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Research and Operations Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved.

Record access procedures: any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from litigants, witnesses, agency employees, and investigative personnel.

USDA/OGC--72

System name: Claims By and Against USDA, USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C. 20250, and Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Individuals who file or may file (1) claims against USDA pursuant to the Federal Tort Claims Act and the Military Personnel and Civilian Employees Claims Act, (2) claims against the Forest Service pursuant to 16 USC 502, 556c, or 574, and (3) tort suits against the United States or its officers or instrumentalities concerning USDA activities; individuals against whom the Department has a monetary claim arising out of USDA-provided services, their employment by USDA, or damages to USDA property.

Categories of records in the system: The system consists of files on individual claims, including claim forms, police reports, investigation and accident reports, statements of witnesses, agency reports, correspondence, legal opinions, pleadings, transcripts, and related documents, and other information pertaining to matters referred by USDA agencies requesting legal assistance in settlement of claims against individuals arising out of USDA-provided services, their employment by USDA, or damages to USDA property.

Authority for maintenance of the system: 16 U.S.C. 502, 556c, 574; 28 U.S.C. 1345, 1346, 2671-2680; 31 U.S.C. 240-243; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice for concurrence of allowance of tort claims over 25,000, for defense of tort suits brought against the United States or its officers, and for institution of suit for recovery of claims by USDA; (2) Department of Labor in cases involving Job Corpsmen or arising under the Federal Employees Compensation Act (5 USC Chapter 81); (3) insurance companies for handling of claims; (4) the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (5) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (6) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual. In some instances, they are also cross-indexed by the names of other individuals mentioned in the files.

Safeguards: Records are kept in a locked office. Some sensitive materials are kept in locked drawers.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records center in accordance with such directives.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Research and Operations Division, OGC, USDA, Washington, D.C. 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Research and Operations Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from claimants, witnesses, agency employees, and investigative personnel.

USDA/OGC—73

System name: Contract Cases, USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington. D.C., 20250, and Offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each filed office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Persons who submit offers or bids to solicitations of agencies of USDA or who contract with agencies of USDA.

Categories of records in the system: The system consists of partial and/or complete files relating to legal issues that arise out of the procurement activities of USDA; it includes copies of contracts, contract claims, investigation reports, contracting officer's decisions, correspondence, and pleadings, transcripts, and related documents in contract appeal cases before the USDA Board of Contract Appeals.

Authority for maintenance of the system: 41 U.S.C. 251 et seq; 7 CFR 2.31; 41 CFR Chapters 1 and 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discover; (3) the General Accounting Office for determination of bid protests, and questions on information, rescission, mistake in bid, and remission of liquidated damages; (4) Department of Justice for defense of suits filed against Government or for institution of suit for recovery of claims arising under the contract; (5) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual bidder, offeror, or contractor.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records center in accordance with such directives.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Research and Operations Division, OGC, USDA, Washington, D.C., or the appropriate Regional Attorney or Attorney-in-charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the director, Research and Operations Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from bidders, offerors, contractors, witnesses, agency employees, and investigation personnel.

USDA/OGC—74

System name: Patents and Inventions of Department Employees, USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who make inventions pursuant to their employment by USDA.

Categories of records in the system: The system consists of files on descriptions of the individual's invention, and all papers and forms in connection with matters pending before the U.S. Patent and Trademark office.

Authority for maintenance of the system: 5 U.S.C. 301; 35 U.S.C. 1-293; 37 CFR 100-100.11; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Copies of all papers and forms sent to the U.S. Patent and Trademark Office are simultaneously placed in said files. Referral to the Department of Justice in the event of appeal from action by the Patent and Trademark Office. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of the individual inventor.

Safeguards: Records are maintained in Government building with security guards.

Retention and disposal: Records are maintained for 20 years.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the System Manager. A request for information pertaining to an individual should contain: Name and address of the inventor, and other particulars (i.e., the date of the papers filed with the U.S. Patent and Trademark Office, etc.).

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the System Manager. This request should contain the information specified in the preceding paragraph.

Contesting record procedures: Same are Record Access Procedures.

Record source categories: Information in this system comes primarily from agency employee-inventors, agency patent personnel and employees of the U.S. Patent and Trademark Office.

USDA/OGC—75

System name: Personnel Irregularities, USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C. 20250, and offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Employees and former employees of USDA, members of local and county committees established pursuant to 16 U.S.C. 590h(b), employees of such county committees, and extension service agents performing duty pursuant to 7 U.S.C. 341-349.

Categories of records in the system: The system consists of investigation reports and other relevant documents pertaining to violations of criminal statutes.

Authority for maintenance of the system: Titles 5, 18 U.S.C.; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (2) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (3) Department of Justice for institution of suits to recover claims by USDA arising out of irregularities, (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual employee.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records centers in accordance with such directives.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f) because it consists of investigatory material compiled for law enforcement purposes. Individual access to these files could impair investigations and alert subjects of investigations that their activities are being scrutinized, and thus allow them time to take measures to prevent detection of illegal action or escape prosecution. Disclosure of investigative techniques and procedures and the existence and identity of confidential sources of information would hamper law enforcement activity.

USDA/OGC—76

System name: Personnel Suits, USDA/OGC.

System location: Office of the General Counsel, Research and Operations Division, USDA, Washington, D.C. 20250, and offices of Regional Attorneys and Attorneys-in-Charge, OGC, USDA, at the following locations: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Denver, Colorado; Harrisburg, Pennsylvania; Little Rock, Arkansas; Milwaukee, Wisconsin; Missoula, Montana; Ogden, Utah; Portland, Oregon; San Francisco, California; Santurce, Puerto Rico; Shawnee Mission, Kansas; Stillwater, Oklahoma; Temple, Texas.

Addresses of each field office are listed in the telephone directories of the respective cities listed above under the heading "United States Government, Department of Agriculture, Office of the General Counsel."

Categories of individuals covered by the system: Employees and former employees of USDA, and applicants for employment with USDA who institute suits against USDA, an officer or employee thereof, or the United States, alleging a wrongful personnel action taken against them.

Categories of records in the system: The system consists of complete files on individual suits, including personnel records, investigation reports, administrative determinations, statements of witnesses, and agency reports.

Authority for maintenance of the system: 5 U.S.C. 301, 5596, 7501, 7511-7512; 42 U.S.C. 2000e-16; 7 CFR 2.31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to (1) Department of Justice for defense of personnel suits brought against USDA, an officer or employee of USDA, or the United States; (2) the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (3) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery; (4) disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the applicable address listed above.

Retrievability: Records are indexed by name of individual litigant.

Safeguards: Records are kept in a locked office.

Retention and disposal: Records are maintained until case is closed or no longer needed or as otherwise provided in agency directives and disposed of or sent to appropriate records center in accordance with such directives.

System manager(s) and address: Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address specified above.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Director, Research and Operations Division, OGC, USDA, Washington, D.C., 20250, or the appropriate Regional Attorney or Attorney-in-Charge at the address listed above. If the specific location of the record is not known, the individual should address his request to the Director, Research and Operations Division, who, if necessary, will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him, by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures: Same as Record Access Procedures.

Record source categories: Information in this system comes primarily from litigants, witnesses, agency employees, and investigative personnel.

USDA/OICD-1

System name: Automated Skills Inventory System (ASIST).

System location:

Office of International Cooperation and Development, United States Department of Agriculture, 14th and Independence Ave., SW., Washington, DC. 20250.

Categories of individuals covered by the system:

Individuals and/or firms from the private sector, university community and federal agencies who are seeking assignments with OICD.

Categories of records in the system:

The system consists of a summary of applicant qualifications, a resume or other documentation providing detailed information relative to education and/or experience, an assessment of his/her performance of OICD assignments (if applicable), and related correspondence.

Authority for maintenance of the system:

7 U.S.C. 3191.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information is made available to agency contracting officers to determine if Federal employees with required qualifications are available and, if not, to initiate development of an acquisition and to facilitate competitive selection in the issuance of agency acquisitions. Referral of information is made to (1) authorized individuals of other Federal agencies or international organizations seeking technically qualified individuals/firms in the field of agriculture; (2) accredited investigative agents of any Federal agency to carry out investigative functions; (3) current and former contractors to review their own records; (4) appropriate agencies, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when available information indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation or order issued pursuant thereto; and (5) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or is sought in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders at the agency address listed above; qualification summaries are maintained in an automated database for easy retrieval.

Retrievability:

Paper records are indexed alphabetically and/or by identification number. Automated records may be retrieved by education, experience, language capability or other criteria required for the successful conduct of proposed assignments or acquisitions.

Safeguards:

All records containing personal information are maintained in secured file cabinets and in secured computer terminal rooms.

Retention and disposal:

Records are maintained indefinitely for active applicants. If an applicant is not selected for three (3) years after receipt of his/her application, the application will be destroyed in conformance with approved records schedules.

System manager(s) and address:

Assistant Administrator for Administration, Office of International Cooperation and Development, United States Department of Agriculture, 14th and Independence Ave., SW, Washington, D.C. 20250.

Notification procedure:

A request for information should be addressed to the Assistant Administrator for Administration, Office of International Cooperation and Development (address above).

Record access procedures:

Individuals or firms who wish to gain access to or amend records pertaining to themselves should submit a written request to the Assistant Administrator for Administration, Office of International Cooperation and Development (address above).

Contesting record procedures:

Same as record access procedures.

Record source categories:

Information in this system comes from applicants for agency acquisition or Federal employees interested in agricultural development assignments; evaluations are made by responsible Federal officials.

USDA/OIG-1

System name:

Employee Records, USDA/OIG.

System location:

In the Headquarters Office of OIG and the Office of Personnel (OP) in the Agriculture Administration Building, 14th and Independence Avenue, SW, Washington, D.C. 20250, and in the following U.S. Department of Agriculture, Office of Inspector General, Regional Offices and suboffices:

OIG Regional Offices

26 Federal Plaza, Room 17-130, Audit: Room 1707, Investigations, New York, New York 10278
6505 Belcrest Road, Room 422, Audit; Room 432-A, Investigations, Hyattsville, Maryland 20782
1447 Peachtree Street, NE, Room 900, Audit: Room 901, Investigations, Atlanta, Georgia 30309
165 North Canal Street, Suite 1400 S-C, Chicago, Illinois 60606
101 South Main, Room 324, Audit; Room 311, Investigations, Temple, Texas 76501
P.O. Box 293, Kansas City, Missouri 64141
555 Battery Street, Room 514, Audit; Room 526, Investigations, San Francisco, California 94111

OIG/Audit Suboffices

Deguetau Federal Building, Room 581, Carlos E. Chardon Avenue, Hato Rey, Puerto Rico 00918
Building 124 Federal Center, 424 Trapelo Road, Mailing address: P.O. Box 429, Waltham, Massachusetts 02154
Room 862 Federal Building, 228 Walnut Street, Mailing address: P.O. Box 907, Harrisburg, Pennsylvania 17108
4908 Northwest 13th Street, Suite B, Northwood Square, Gainesville, Florida 32609
Federal Building, Suite 1410, 100 West Capitol, Jackson, Mississippi 39201
Imperial Towers Office Building, 333 Waller Avenue, Room 203, Lexington, Kentucky 40504
4004 Hillsboro Road, Room 219, Nashville, Tennessee 37215
310 New Bern Avenue, Room 333, Raleigh, North Carolina 27601, Mailing address: P.O. Box 27076, Raleigh, North Carolina 27611
200 North High Street, Room 346, Columbus, Ohio 43215
Manley-Miles Building, Room 107, 1405 South Harrison Road, East Lansing, Michigan 48823
333 Sibley, Suite 560, St. Paul, Minnesota 55101
3746 Government Street, Alexandria, Louisiana 71302, Mailing Address: P.O. Box 5889, Alexandria, Louisiana 71301
1114 Commerce Street, Room 812-A, Federal Building, Dallas, Texas 75242
2514 Federal Building, Little Rock, Arkansas 72201
210 Walnut Street, Room 167, Des Moines, Iowa 50309
200 Fourth Street, Southwest, Room 207, Huron, South Dakota 57350
100 Centennial Mall North, Room 276, Lincoln, Nebraska 68508
Drake Executive Plaza, Suite 220, 2625 Redwing Road, Fort Collins, Colorado 80526
P.O. Box 29383, New Orleans, Louisiana 70189
1520 Market Street, Room 1624, Box 14153 Main Post Office, St. Louis, Missouri 63178
300 N. Los Angeles Street, Room 3251, Los Angeles, California 90012
511 Northwest Broadway, Room 304, Portland, Oregon 97209
915 Second Avenue, Room 312, Seattle, Washington 98174

OIG/Investigation Suboffices

Deguetau Federal Building, Room 581, Carlos E. Chardon Avenue, Hato Rey, Puerto Rico 00918
Waltham Federal Center, Building 124-S, 424 Trapelo Road, P.O. Box 429, Waltham, Massachusetts 02154
120 South Warren Road, King of Prussia, Pennsylvania 19406
4908 Northwest 34th Street, Suite A, Gainesville, Florida 32605

Federal Building, Suite 1412, 100 West Capitol Street, Jackson, Mississippi 39269
4004 Hillsboro Road, Room 211, Nashville, Tennessee 37215
310 New Bern Avenue, Room 328, Raleigh, North Carolina 27611
200 North High Street, Room 350, Columbus, Ohio 43215
Manley-Miles Building, Room 107, 1405 South Harrison Road, East Lansing, Michigan 48823
Suite 1804, 5610 Crawfordsville Road—Suite 1804, Indianapolis, Indiana 46224
333 Sibley, Suite 560, St. Paul, Minnesota 55101
1100 Commerce Street, Room 14B23, Federal Building, Mailing address: P.O. Box 50606, Dallas, Texas 75250
215 Dean A. McGee Street, Mailing address: P.O. Box 1235, Oklahoma City, Oklahoma 73102
Federal Building Customs House, 721 19th Street, Room 475, Denver, Colorado 80202
300 N. Los Angeles Street, Room 3251, Los Angeles, California 90012
Federal Building, 915 Second Avenue, Room 312, Seattle, Washington 98104

Categories of individuals covered by the system:

OIG temporary and permanent employees, former employees of OIG and predecessor offices, and applicants for employment.

Categories of records in the system:

These records show or related to employment, personnel management and work-related information, including position, classification, title, grade, pay rate, pay, temporary and permanent address, phone number, program and performance evaluations, promotions, retirement, discipline, appeals, incentive programs, unemployment compensation, leave, complaints and grievances health benefits, equal employment opportunity, automation of personnel data, travel information, accident reports and related information, activity reports, participation in savings and contribution programs, availability for employment, for assignment, or for transfer, qualifications, awards, hours worked, issuance of credentials, passports, and other identification, assignment and accountability of property and other things of value, parking space assignments, training and development, and special assignments. Records in system do not include employee Official Personnel Folder (OPF) data.

Authority for maintenance of the system:

Pub. L. 95–452, as amended, 5 U.S.C. App.; 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer and in file folders, notebooks, and card file boxes.

Retrievability:

By name of individual employee.

Safeguards:

Available on official need-to-know basis. Kept in locked offices after office hours.

Retention and disposal:

Records are retained as long as needed and then discarded. Personal information that might be considered derogatory or embarrassing is shredded when no longer needed.

System manager(s) and address:

Director, Personnel Programs and Liaison Staff (PPLS), OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Notification procedure:

Inquiries should be addressed to Director, PPLS, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Record access procedures:

To gain access to information in the system, send request to Director, PPLS, OIG, USDA, Washington, D.C. 20250.

Contesting record procedures:

To contest information in this system, send request to Director, PPLS, OIG, USDA, Washington, D.C. 20250.

Record source categories:

The primary information is furnished by the individual employee. Additional information is provided by supervisors, coworkers, references, and others.

USDA/OIG–2

System name:

Intelligence Records, USDA/OIG.

System location:

In the Headquarters Office in the Agriculture Administration Building, 14th and Independence Avenue, SW., Washington, D.C. 20250, and in the OIG offices listed in the system of records designated USDA/OIG–1.

Categories of individuals covered by the system:

Suspects and unpaid informats.

Categories of records in the system:

Names, occupations, other information about suspects and allegations against them; and types of information previously furnished by or to be expected from informants.

Authority for maintenance of the system:

Pub. L. 95–452, as amended, 5 U.S.C. App.; 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses (1) through (17) listed in the system of records designated USDA/OIG–1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored on sheets of paper and index cards.

Retrievability:

Retrievable by name of individual subject.

Safeguards:

Available on an official need-to-know basis and kept in locked storage when not in use.

Retention and disposal:

Kept indefinitely and continually updated; out-of-date material is shredded.

System manager(s) and address:

Assistant Inspector General for Investigations (AIG/I), Office of Inspector General, Washington, D.C. 20250. Inquiries and requests should be addressed to: Director, Management and Budget Staff, USDA, OIG, Washington, D.C. 20250.

Record access procedures:

To request access to information in this system write to Director, Management Operations and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, DC 20250.

Contesting record procedures:

To contest information in this system, send request to Director, Management Operations and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, DC 20250.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(j)(2), this system has been exempted from all provisions of the Privacy Act of 1974, 5 U.S.C. 552a, as amended, except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6),(7), (9), (10) and (11) and (i).

Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), this system has been exempted from the following provisions of the Privacy Act of 1974, 5 U.S.C. 552a: subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f).

USDA/OIG–3

System name:

Investigative Files and Subject/Title Index, USDA/OIG.

System location:

In the Headquarters Office in the Agriculture Administration Building, 14th and Independence Avenue, SW., Washington, D.C. 20250, and in the OIG Regional and Investigation Suboffices listed in the system of records designated USDA/OIG–1.

Except for inadvertent errors, all entries in regional office indexes are duplicated in the Headquarters index. Thus the Headquarters index is the only complete index in OIG. The Headquarters Files also contain a copy of every investigative report, but not the correspondence in all cases. Older investigative files may be stored in Federal Records Centers or on microfiche. Therefore, delays in retrieving this material can be expected.

Categories of individuals covered by the system:

The individual names in the OIG index fall into one or more of the following categories:

Subjects. These are applicants for OIG employment or individuals against whom allegations of wrongdoing have been made. In some instances, these individuals have been the subjects of investigations conducted to establish whether allegations were true. In other instances, the allegations were deemed too frivolous or indefinite to warrant inquiry.

Principals. These are individuals who are not named subjects of investigative inquiries, but may be responsible for violations. For example, the president of a firm alleged to have violated laws or regulations would likely be individually listed in the OIG index.

Complainants. These are individuals who allege wrongdoing, mismanagement, or unfair treatment relating to USDA employees and/or programs.

Others. These are all other individuals closely connected with a matter of investigative interest or whose names have been checked through the index to determine whether they were of record.

Categories of records in the system:

The OIG Subject/Title Index and Investigative Files consist of:

1. Index cards and/or a microfiche index filed alphabetically by the names of individuals, organizations, and firms with a separate card or line items for each; dates of entries made into the index or dates of materials containing information about the named subjects; and identification of the OIG file or files containing information on that subject.

2. Files containing bound sheets of paper or microfiche of such sheets from investigative and other reports, correspondence, and informal notes and notations concerning: (a) One investigative matter or (b) a number of incidents of the same sort of alleged violation or irregularity.

If such information was available when an index card or line item was made, the card or microfiche concerning an individual will include the individual's address, date of birth, and Social Security number.

3. Where investigation is being or will be conducted, but has not been completed, various case management records, investigator's notes, statements of witnesses, and copies of records. These are contained on index slips or cards and sheets of paper located in an OIG office or in the possession of the OIG investigator. Certain management records are retained after the investigative report is released as a means of following action taken on the basis of the OIG investigative report.

Authority for maintenance of the system:

Pub. L. 95-452, as amended, 5 U.S.C. App.; 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses (1) through (17) listed in the system of records designated USDA/OIG-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The OIG Subject/Title Index consists of 3 inch by 5 inch cards or microfiche line items stored in steel cabinets. The investigative files are stored in steel lektriever cabinets, on microfiche sheets, or in Federal Records Center.

Retrievability:

The subject cards or line items are arranged alphabetically, and each card or line item identifies one or more OIG investigative case files or administrative files arranged numerically by file number. Information in investigative or administrative files concerning individuals not indexed is considered irretrievable.

Safeguards:

These records are available within USDA and to others in the Executive Branch only upon proper identification and on a need-to-know basis. These records are kept in limited-access areas during duty hours and in locked offices at all other times.

Retention and disposal:

The cards or line items are kept indefinitely and investigative case files are maintained for 15 years. However, certain investigative case files of unusual significance are kept indefinitely. Administrative files are kept for five years.

System manager(s) and address:

Director, Management and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250.

Record access procedures:

To contest information in this system, send request to Director, Management and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250.

Contesting record procedures:

To request access to information in this system, write to Director, Management and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(j)(2), this system of records has been exempted from all provisions of the Privacy Act of 1974, 5 U.S.C. 552a, as amended, except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10) and (11), and (i).

Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), this system has been exempted from the following provisions of the Privacy Act of 1974, 5 U.S.C. 552a: subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f).

USDA/OIG-4

System name:

Liaison Records, USDA/OIG.

System location:

Headquarters Offices in Agriculture buildings at 14th and Independence Avenue, SW., Washington, D.C. 20250, and in the OIG offices listed in the system of records designated USDA/OIG-1.

Categories of individuals covered by the system:

Employees or officials of Federal, State, and local governmental agencies.

Categories of records in the system:

Such information as name, title, address, phone number, and type of assistance previously given or interest previously shown or expected.

Authority for maintenance of the system:

Pub. L. 95-452, as amended, 5 U.S.C. App.; 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses (1) through (17) listed in the system of records designated USDA/OIG—1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Index cards and sheets of paper.

Retrievability:

By name of individual or by name of agency.

Safeguards:

Information is usually obtained from public records or previous contacts and is generally availabe to OIG employees and others on request. Records are in the custody of OIG employees during working hours and in locked offices at other times.

Retention and disposal:

Information is kept indefinitely and disposed of when updated. Out-of-date information is discarded.

System manager(s) and address:

Directors of the offices indicated in "System location."

Notification procedure:

Inquiries and requests should be addressed to Director, Management and Budget Staff, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250.

Record access procedures:

To gain access to information in this system, send request to Director, Management and Budget Staff, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Contesting record procedures:

To contest information in this system, send request to Director, Management and Budget Staff, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Record source categories:

Public documents and directors and previous contacts with individuals listed.

USDA/OIG-5

System name:

Management Information and Data Analysis System, USDA/OIG.

System location:

Computer files are maintained on the Computer Sciences Infonet System with main offices at 650 North Sepulveda, El Segundo, California. Source documents and printouts are kept in OIG Headquarters, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250 and in the OIG regional offices listed in the system of records designated as USDA/OIG-1 (with the exception of the New York Regional Office.

Categories of individuals covered by the system:

OIG professional audit employees.

Categories of records in the system:

The Management Information and Data Analysis System provides audit management officials with a wide range of information on audit operations, including job performance of OIG professional audit personnel in grade GS-13 and below. The system identifies individual audit assignments of employees and provides information on their use of direct and indirect time; significant dates relating to each audit such as starting date, exit conference date, and report release date; the number and significance of audit findings and the identity of all the professionals who participated in the assignment.

Authority for maintenance of the system:

Pub. L. 95-452, as amended, 5 U.S.C. App.; 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses (1) through (17) listed in the system of records designated USDA/OIG-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer discs and/or magnetic tape.

Retrievability:

Information in the system can be retrieved by OIG Headquarters and regions. Information can be retrieved by audit report number, employee Social Security number, or geographic location.

Safeguards:

Normal computer security is maintained over access to discs and magnetic tapes. Printouts are available within USDA as necessary and are kept under lock and key when not in use. Source documents are kept in file cabinets in the offices listed above.

Retention and disposal:

Discs and/or magnetic tapes are cleared, retired, or destroyed, when no longer useful, in accordance with General Services Administration and USDA retirement and/or destruction schedules.

System manager(s) and address:

Assistant Inspector General for Audit, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250.

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her, from the Director, Management and Budget Staff, USDA/OIG, Washington, D.C. 20250. A request for information pertaining to an individual should contain: Name, address, and particular information requested.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the Director, Management and Budget Staff, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Contesting record procedures:

Same as access procedures described above.

Record source categories:

Information in the system comes entirely from OIG audit employees.

USDA/OIG—6

System name:

Audit Information System, USDA/OIG.

System location:

Records included in this system may be located at audit sites throughout the United States or at any of the Departmental Computer Centers. The Departmental Computer Centers are: (1) Washington Computer Center, 12th and Independence Avenue, SW., Washington, D.C. 20250; (2) New Orleans Computer Center, P.O. Box 29383, New Orleans, Louisiana 70189; (3) Kansas City Computer Center, P.O. Box 293, Kansas City, Missouri 64141; (4) St. Louis Computer Center, 1520 Market Street, Room 1624, Box 14153 Main Post Office, St. Louis, Missouri 63178; (5) Fort Collins Computer Center, Drake Executive Plaza, Suite 220, 2625 Redwing Road, Fort Collins, Colorado 80526.

Categories of individuals covered by the system:

This system employs temporary data sets, computer printouts, and other audit records obtained from USDA agencies, non-Federal sources, and Federal agencies other than USDA. Individuals covered by these records are participants in programs adminsitered and/or funded by the Department of Agriculture; employees of USDA and other Federal, State, county, and municipal agencies; and officials and employees of contractors, grantees, and cooperators that conduct business related to USDA programs.

Categories of records in the system:

The system may contain, for short periods of time, various categories of records relating to administration of, or individual participation in, USDA programs. For example, the categories of records may relate to the Department's farm, food, loan and research programs and to payroll records of USDA or other governmental employees.

Authority for maintenance of the system:

Pub. L. 95-452, as amended, 5 U.S.C. App., 5 U.S.C. 301; 7 U.S.C. 2270; 7 CFR 2.33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses (1) through (17) listed in the system of records designated USDA/OIG-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is stored electronically on computer direct access storage devices or magnetic tape and in computer printouts and other audit records.

Retrievability:

Electronically stored information may be retrieved using standard audit software analysis and retrieval packages and is limited only by the data elements maintained in the data set. This information may be transmitted and received using standard teleprocessing procedures. Data elements may include such information as an individual's name, address, social security numbers, employee identification, case or farm number, and specific information about the individual's program participation or employment. Information located in computer printouts and other audit records may be retrieved manually while audits are in process. After an audit is completed, information about individuals can only be retrieved by first identifying the audit involved (by type, location and time conducted) and then retrieving the information from audit work materials by mechanical or electronic search. If individual participation was investigated, personal privacy information about that individual may be retrievable, by name, from system USDA/OIG-3, described above.

Safeguards:

Normal computer security is maintained over access to electronically encoded data. Computer printouts and other audit records are protected in accordance with the sensitivity of data contained therein.

Retention and disposal:

Electronically encoded data is seldom retained for more than six months. It is then destroyed either by degaussing or overwriting the computer media. Computer printouts and manually prepared audit records may be incorporated into audit files where they are retrievable only by audit number of report title. Audit files are retained in accordance with General Services Administration retirement and/or destruction schedules. Computer printouts not incorporated into audit files are destroyed.

System manager(s) and address:

The system managers are the USDA Regional Inspectors General for Audit in whose geographical areas the audit sites and Departmental Computer Centers are located. These are as follows: (1) Regional Inspector General for Audit, North Atlantic Region, OIG, USDA, 26 Federal Plaza, Room 17-130, New York, New York 10278; (2) Regional Inspector General for Audit, Northeast Region, OIG, USDA, 6505 Belcrest Road, Room 422, Hyattsville, Maryland 20782 (Washington Computer Center); (3) Regional Inspector General for Audit, Southeast Region, OIG, USDA, 1447 Peachtree Street, NE., Room 900, Atlanta, Georgia 30309; (4) Regional Inspector General for Audit, Midwest Region, OIG, USDA, 165 North Canal Street, Suite 1400 S-C, Chicago, Illinois 60606; (5) Regional Inspector General for Audit, Southwest Region, OIG, USDA, 101 South Main Street, Room 324, Temple, Texas 76501 (New Orleans Computer Center); (6) Regional Inspector General for Audit, Great Plains

Region, OIG, USDA, 935 Holmes, Room 210, Kansas City, Missouri 64131; Mailing Address: P.O. Box 293, Kansas City, Missouri 64141 (Kansas City, Fort Collins, and St. Louis Computer Centers); (7) Regional Inspector General for Audit, Western Region, OIG, USDA, 555 Battery Street, Room 514, San Francisco, California 94111.

Notification procedure:

Any individual may request information contained in this system of records or information as to whether the system contains records pertaining to that individual by contacting the Director, Management and Budget Staff, OIG, USDA, Washington, D.C. 20250.The individual is reminded that this system of records is temporary and usually is accessible only while an audit of a particular program or activity is in process. The period of accessibility normally ranges from one month to approximately six months, depending on the type of audit and the use made of the information. Any request for information pertaining to an individual should contain that person's name, address, the USDA program the individual is participating in, any pertinent identification number such as a case number, and the particular information requested. Proof of identity and/or authorization to access will be required.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to that person by submitting a written request to the Director, Management and Budget Staff, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Contesting record procedures:

These inquiries also should be sent to the Director, Management and Budget Staff, OIG, U.S. Department of Agriculture, Washington, D.C. 20250.

Record source categories:

Information contained in this system of records is obtained mainly from USDA agencies and State and local governments that administer USDA programs on a cooperative basis and may be obtained from other grantees and program participants and other Federal agencies.

Information generally relates to a USDA program or activity which is being audited. Upon conclusion of the audit, the information is either destroyed, returned to the originator, or stored in an audit file from which information about individuals cannot be retrieved without manual and/or electronic search.

USDA/O&F—5

System name: Debarred, Ineligible and Suspended Bidders, USDA/O&F.

System location: Office of Operations and Finance, Administrative Services, Procurement Division, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who, as principles or responsible employees of companies contracting with USDA or other Federal agencies, have committed or are suspected of having committed illegal or irresponsible acts in connection with the performance of those contracts.

Categories of records in the system: The system consists of files on companies and their principle owners, officers or responsible employees. The files contain correspondence relating to the performance of individuals and their companies under government contracts.

Authority for maintenance of the system: 41 CFR 1-1.602 and 4-1.602.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Publication of the Debarred, Ineligible and Suspended List for distribution to USDA and other Federal purchasing officers. 2. Referral to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto. 3. Referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual." Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders at the address above.

Retrievability: Records are indexed by date and company or individual name.

Safeguards: Records are maintained in metal filing cabinets with access limited to those requiring the information for official purposes.

Retention and disposal: Records are sent to Federal Records Centers approximately 3 years after the close of a case and are destroyed approximately 2 years thereafter.

System manager(s) and address: Director, Office of Operations and Finance, United States Department of Agriculture, Washington, D.C. 20250

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the Chief, Procurement Division, Administrative Services, Office of Operations and Finance, United States Department of Agriculture, Washington, D.C. 20250, Telephone 202-447-7527. A request for information pertaining to an individual should contain: Name; address; company name; date of debarment; ineligibility or suspension date or date of last correspondence.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the Director, Office of Operations and Finance.

Contesting record procedures: Any individual may obtain information as to the procedures for contesting a record in the system which pertains to him by submitting a written request to the Director, Office of Operations and Finance.

Record source categories: Information in this system comes primarily from agency employees, other Federal agencies, law enforcement officials or judicial officers.

USDA/O&F—6

System name: Parking applications, USDA/O&F

System location: Office of Operations and Finance, Room 1566-S, Administrative Services, Facilities Management Division, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: Individuals who have applied for parking privileges.

Categories of records in the system: The system consists of parking applicant's names, agencies, social security numbers and home addresses.

Authority for maintenance of the system: FPMR 101-20.117.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: No disclosures outside USDA.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files in unlocked file drawer.

Retrievability: Records are retrievable by name.

Safeguards: Stored in Government office building with security guards.

Retention and disposal: Retain for twelve months after submission of application and then dispose.

System manager(s) and address: Chief, Facilities Management Division, Administrative Services, Office of Operations and Finance, USDA, Room 1566-S, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from persons listed under system manager(s), Office of Operations and Finance, USDA, Washington, D.C. 20250, telephone (202) 447-5225.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the system manager.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Employees who file applications.

USDA/O&F—7

System name: Secretary's Controlled Correspondence, USDA/O&F.

System location: Executive Correspondence and Records Unit, Budget and Executive Services, Office of Operations and Finance, Room 123-W, USDA, Washington, D.C. 20250.

Categories of individuals covered by the system: Cabinet Members, USDA officials and members of the public.

Categories of records in the system: Answers to request for policy statements, complaints, thank you notes, request for assistance, etc.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are disclosed to the General Accounting Office for the purpose of investigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in rotary files.

Retrievability: Records are retrieved by name of individual who responded to requests.

Safeguards: Records are kept in rooms locked in non-work hours. During work hours the records are under visual control of Secretary's Records employees.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Head, Executive Correspondence and Records Unit, Budget and Executive Services, Office of Operations and Finance, Room 123-W, USDA, Washington, D.C. 20250.

Notification procedure: Any individual may request information regarding the system of records, or information as to whether the system contains records pertaining to him from persons listed under system manager(s). Office of Operations and Finance, USDA, Washington, D.C. 20250, telephone (202) 447-3337.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the system manager.

Contesting record procedures: Any individual may contest a record in the system by using the same procedures as those for requesting access.

Record source categories: Members of the public, Cabinet Members and USDA officials.

USDA/OP-1

System name:

Personnel and Payroll System for USDA Employees, USDA/OP.

System location:

Office of Personnel, USDA, Washington, D.C.; the National Finance Center, New Orleans, Louisiana; and the personnel offices at the following locations:

ALABAMA—Soil Conservation Service State Office, Soil Conservation Building, 665 Opelika Road, Auburn, Alabama 36830; Farmers Home Administration State Office, Aronov Building, Room 717, 474 S. Court Street, Montgomery, Alabama 36104; Forest Service National Forest, National Forests in Alabama, 1765 Highland Avenue, Montgomery, Alabama 36107.

ALASKA—Forest Service National Forest, Chugach National Forest, Suite 238, 2221 E. Northern Lights Boulevard, Anchorage, Alaska 99508; Soil Conservation Service State Office, 2221 E. Northern Lights Boulevard, Anchorage, Alaska 99504; Forest Service Regional Office, Federal Office Building, P.O. Box 1628, Juneau, Alaska 99802; Forest Service National Forest, Tongass National Forest, Ketchikan area, Federal Building, Ketchikan, Alaska 99901; Farmers Home Administration State Office, P.O. Box 1289, Palmer, Alaska 99645; Forest Service National Forest, Tongass National Forest, Stikine Area, Box 309, Petersburg, Alaska 99833; Forest Service National Forest, Tongass National Forest, Chatham Area, P.O. Box 1980, Sitka, Alaska 99835.

ARIZONA—Forest Service National Forest, Coconino National Forest, 2323 E. Greenlaw Lane, Flagstaff, Arizona 86001: Forest Service, Rocky Mountain Forest and Range Experiment Station, Forestry Sciences Laboratory, Northern Arizona University, Flagstaff, Arizona; 86001; Agricultural Marketing Service Milk Market Office, 1121 E. Missouri Street, Phoenix, Arizona 85014; Farmers Home Administration State Office, Federal Building, Room 3433, 230 North First Avenue, Phoenix, Arizona 85025; Soil Conservation Service State Office, 230 North First Avenue, 3008 Federal Building, Phoenix, Arizona 85025; Forest Service National Forest, Tonto National Forest, 102 S. 28th Street, Phoenix, Arizona 85038, Forest Service National Forest, Prescott National Forest, 344 S. Cortez, Prescott, Arizona 86301; Forest Service National Forest, Apache-Sitgreaves National Forest, Federal Building, P.O. Box 640, Springerville, Arizona 85938; Forest Service National Forest, Coronado National Forest, Federal Building, 301 W. Congress, Tucson, Arizona 85701; Forest Service National Forest, Kaibab National Forest, 80 S. 6th Street, Williams, Arizona 86046.

ARKANSAS—Forest Service National Forest, Ouachita National Forest, Federal Building, Reserve and Broadway Streets, P.O. Box 1270, Hot Springs National Park, Arkansas 71901; Farmers Home Administration State Office, 5529 Federal Office Building, P.O. Box 2778, 700 W. Capitol, Little Rock, Arkansas 72203; Forest Service National Forest, Ozark-St. Francis National Forest, 605 W. Main, P.O. Box 1008, Russellville, Arkansas 72801; Soil Conservation Service State Office, Federal Office Building, 700 W. Capitol St., Little Rock, Arkansas 72203.

CALIFORNIA—-Animal and Plant Health Inspection Service, PPQ Western Region, 620 Central Avenue, Building 2B, Alameda, California, 94501; Forest Service National Forest, Modoc National Forest; 441 N. Main Street, Alturas, California 96101; Forest Service, Pacific Southwest Forest and Range Experiment Station, 1960 Addison Street, P.O. Box 245, Berkeley, California 94701; Forest Service National Forest, Inyo National Forest, 873 N. Main Street, Bishop, California 93514; Soil Conservation Service State Office, 2828 Chiles Road, Davis, California 95616; Forest Service National Forest, Six Rivers National Forest, 507 F Street, Eureka, California 95501; Forest Service National Forest, Sierra National Forest, Federal Building, Room 3017, 1130 O Street, Fresno, California 93721; Forest Service National Forest, Los Padres National Forest, 42 Aero Camino, Goleta, California 93117; Forest Service National Forest, Tahoe National Forest, Highway 49, Nevada City, California 95969; Forest Service National Forest, Angeles National Forest, Room 300, 150 S. Robles Avenue, Pasadena, California 91101; Forest Service National Forest, Eldorado National Forest, 100 Forni Road, Placerville, California 95667; Forest Service National Forest, Sequoia National Forest, 900 W. Grand Avenue, Porterville, California 93257; Forest Service National Forest, Plumas National Forest, 158 Lawrence Street, P.O. Box 1500, Quincy, California 95971; Forest Service National Forest, Shasta-Trinity National Forest, 2400 Washington Avenue, Redding, California 96001; Forest Service National Forest, San Bernardino National Forest, 144 N. Mountain View Avenue, San Bernardino, California 92408; Forest Service National Forest, Cleveland National Forest, 880 Front Street, Room 6-S-5, San Diego, California 92186; Forest Service, Equipment Development Center, 444 E. Bonita Avenue, San Dimas, California 91773; Food and Nutrition Service Western Regional Office, 550 Kearny Street, Room 400, San Francisco, California 94108; Forest Service Regional Office, 630 Sansome Street, San Francisco, California 94111; Forest Service National Forest, Stanislaus National Forest, 19777 Greenley Road, Sonora, California 95370; Forest Service, Lake Tahoe Basin Management Unit, 870 Emeral Bay Road, P.O. Box 8465, South Lake Tahoe, California 95731; Forest Service National Forest, Lassen National Forest, 707 Nevada Street, Susanville, California 96130; Forest Service National Forest, Mendocino National Forest, 420 E. Laurel Street, Willows, California 95988; Farmers Home Administration State Office, 459 Cleveland Street, Woodland, California 95695; Forest Service National Forest, Klamth National Forest, 1312 Fairland Road, Yreka, California 96097.

COLORADO—Forest Service National Forest, Grand Mesa-Uncompahgre-Gunnison National Forests, 2250 Highway 50, Delta, Colorado 81416; Agricultural Marketing Service Milk Market Office, 2600 S. Parker Road, P.O. Box 440860, Aurora, Colorado 80044; Farmers Home Administration State Office, 1 Diamond Plaza, Room 231, 2490 W 26th Avenue, Denver, Colorado 80217; Soil Conservation Service State Office, 1 Diamond Plaza, Room 313, 2490 W. 26th Avenue Denver, Colorado 80217; Forest Service National Forest, San Juan National Forest, Federal Building, 701 Camino Del Rio, Durango, Colorado 81301; Animal and Plant Health Inspection Service, Veterinary Services North Central Region, 317 Inverness Way South, Englewood, Colorado 80112; Forest Service, Rocky Mountain Forest and Range Experiment Station, 240 W. Prospect Street, Fort Collins, Colorado 60526; Forest Service National Forest, Arapaho-Roosevelt National Forest, 240 W. Prospect Street, Ft. Collins, Colorado 80526, Forest Service National Forest, White River National Forest, Old Federal Building, Box 948, Glenwood Springs, Colorado 81602; Forest Service Regional Office, 11177 W. 8th Avenue, P.O. Box 25127, Lakewood, Colorado 80225; Forest Service National Forest, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, Colorado 81144; Forest Service National Forest, Pike-San Isabel National Forests, 1920 Valley Drive, Pueblo, Colorado 81008; Forest Service National Forest, Routt National Forest, Hunt Building, 137 10th Street, P.O. Box 1198, Steamboat Springs, Colorado 80477; Food and Nutrition Service Mountain Plains Regional Office, 2420 W. 25th Avenue, Denver, Colorado 80211.

CONNECTICUT—Forest Service Northeastern Forest Experiment Station, Center for Biological Control of Northern Forest Insects and Disease, 51 Mill Pond Road, Hamden, Connecticut 06514;

Soil Conservation Service State Office, Mansfield Professional Park, Route 44A, Storrs, Connecticut 06268.

DELAWARE—Farmers Home Administration State Office, Robscott Building, 151 E. Chestnut Hill Road, Suite 2, Newark, Delaware 19713.

FLORIDA—Farmers Home Administration State Office, Federal Building, Room 214, 401 S.E. First Avenue, P.O. Box 1088, Gainesville, Florida 32602; Soil Conservation Service State Office, Federal Building, 401 SE 1st Avenue, Gainesville, Florida 32602; Forest Service National Forest, National Forests in Florida, 2586 Seagate Drive, P.O. Box 13549, Tallahassee, Florida 32308; Animal and Plant Health Inspection Service, Veterinary Services Southeastern Region, 700 Twiggs Street, Room 820, P.O. Box 560, Tampa, Florida 33601; Agricultural Marketing Service Milk Market Office, 1205 S. Semoran Boulevard, P.O. Box 4709, Winter Park, Florida 32793.

GEORGIA—Agricultural Marketing Service Milk Market Office, 3610 Interstate 85, NE, Suite 109, P.O. Box 49025, Atlanta, Georgia 30359; Forest Service Regional Office, Suite 812, 1720 Peachtree Road, NW, Atlanta, Georgia 30367; Farmers Home Administration State Office, 355 E. Hancock Avenue, Stephens Federal Building, Athens, Georgia 30601; Soil Conservation Service State Office, Federal Building, 355 E. Hancock Avenue, Athens, Georgia 30613; Forest Service National Forest, Chattahoochee-Oconee National Forest, 601 Broad Street, SE, Gainesville, Georgia 30501; Food and Nutrition Service Southeast Regional Office, 1100 Spring Street, NW, Atlanta, Georgia 30367.

HAWAII—Soil Conservation Service State Office, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850; Farmers Home Administration State Office, 345 Kekuanaoa Street, Hilo, Hawaii 96720.

IDAHO—Farmers Home Administration State Office, Federal Building, Room 429, 304 N. 8th Street, Boise, Idaho 83702; Forest Service National Forest, Boise National Forest, 1750 Front Street, Boise, Idaho 83702; Soil Conservation Service State Office, 304 N. 8th Street, Boise, Idaho 83702; Forest Service National Forest, Challis National Forest, Forest Service Building, Highway 93, P.O. Box 404, Challis, Idaho 83226; Forest Service National Forest, Idaho Panhandle National Forests, 1201 Ironwood Drive, Coeur d'Alene, Idaho 83814; Forest Service National Forest, Nezperce National Forest, 319 E. Main Street, Grangeville, Idaho 83530; Forest Service National Forest, Payette National Forest , Forest Service Building, P.O. 1026, McCall, Idaho 83638; Forest Service National Forest, Clearwater National Forest, 12730 Highway 12, Orofino, Idaho 83544; Forest Service National Forest, Caribou National Forest, 250 S 4th Avenue, Pocatello, Idaho 83201; Forest Service National Forest, Targhee National Forest; 420 N. Bridge Street, P.O. Box 208, St. Anthony, Idaho 83445; Forest Service National Forest, Salmon National Forest, Forest Service Building, Salmon, Idaho 83467; Forest Service National Forest, Sawtooth National Forest, 1525 Addison Avenue, E., Twin Falls, Idaho 83301.

ILLINOIS—Farmers Home Administration State Office, 2106 W. Springfield Avenue, Champaign, Illinois 61821; Soil Conservation Service State Office, Springer Federal Building, 301 N. Randolph Street, Champaign, Illinois 61820; Agricultural Marketing Service Milk Market Office, 800 Roosevelt Rd., Building A, Glen Ellyn, Illinois 60137; Food and Nutrition Service Midwest Regional Office, 50 E. Washington Street, Chicago, Illinois 60602; Forest Service National Forest, Shawnee National Forest, 317 E. Poplar Street, Harrisburg, Illinois 62946.

INDIANA—Forest Service National Forest, Wayne-Hoosier National Forest, 1615 J Street, Bedford, Indiana 47421; Farmers Home Administration State Office, Suite 1700 5610 Crawfordsville Road, Indianapolis, Indiana 46224; Soil Conservation Service State Office, Corporate Square-West, 5610 Crawfordsville Road, Indianapolis, Indiana 46224.

IOWA—Farmers Home Administration State Office, Federal Building, Room 873, 210 Walnut Street, Des Moines, Iowa 50309; Soil Conservation Service State Office, Federal Building, Room 823, 210 Walnut Street, Des Moines, Iowa 50309.

KANSAS—Agricultural Marketing Service Milk Market Office 7819 Conser Pl., P.O. Box 4606, Overland Park, Kansas 66204; Soil Conservation Service State Office, 760 S. Broadway, Salina, Kansas 67401; Farmers Home Administration State Office, 444 SE. Quincy St., Topeka, Kansas 66683.

KENTUCKY—Forest Service, Northeastern Forest Experiment Station, Forestry Science Laboratory, 204 Center Street, Berea, Kentucky 40403; Farmers Home Administration State Office, 333 Waller Avenue, Lexington, Kentucky 40504; Soil Conservation Service State Office, 333 Waller Avenue, Lexington, Kentucky 40504; Agricultural Marketing Service Milk Market Office, 3920 Bardstown Rd., P.O. Box 18030, Louisville, Kentucky 40218; Forest Service National Forest, Daniel Boone National Forest, 100 Vaught Road, Winchester, Kentucky 40391.

LOUISIANA—Farmers Home Administration State office, 3727 Government Street, Alexandria, Louisiana 71301; Soil Conservation Service State Office, 3737 Government Street, Alexandria, Louisiana 71301; Agricultural Marketing Service Milk Market Office 630 Village Lane, North, P.O. Box 99, Mandeville, Louisiana 70448; Forest Service Southern Forest Experiment Station, T-10210 U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, Louisiana 70113; Office of Finance and Management, National Finance Center, Human and Material Resources Branch, P.O. Box 60,000, New Orleans, Louisiana 70160; Forest Service National Forest, Kisatchie National Forest, 2500 Shreveport Highway, Pineville, Louisiana 71360.

MAINE—Farmers Home Administration State Office, USDA Office Building, Orono, Maine 04473; Soil Conservation Service State Office, USDA Building, University of Maine, Orono, Maine 04473.

MARYLAND—Agricultural Research Service, Personnel Division, Room 107, Building 003, BARC-W, Beltsville, Maryland 20705; Soil Conservation Service State Office, Hartwick Building, Room 522, 4321 Hartwick Road, College Park, Maryland 20740; Animal and Plant Health Inspection Service, PPQ Non-Regional Administrative Operations Office, Federal Building, Room 623, Hyattsville, Maryland 20782.

MASSACHUSETTS—Soil Conservation Service State Office, 451 West Street, Amherst, Massachusetts 01002; Agricultural Marketing Service Milk Market Office, 90 Canal Street, P.O. Box 1478, Boston, Massachusetts 02205; Farmers Home Administration State Office, 451 West Street, Amherst, Massachusetts 01002; Food and Nutrition Service, Northeast Regional Office, 33 North Avenue, Burlington, Massachusetts 01803.

MICHIGAN—Agricultural Marketing Service Milk Market Office, 2684 W., 11 Mile Road, Berkley, Michigan 48072; Forest Service National Forest, Huron-Manistee National Forest, 421 S. Mitchell Street, Cadillac, Michigan 49601; Farmers Home Administration State Office, 1405 S. Harrison Road, Room 209, East Lansing, Michigan 48823; Soil Conservation Service State Office, 1405 S. Harrison Road, East Lansing, Michigan 48823; Forest Service National Forest, Hiawatha National Forest, 2727 N. Lincoln Road, Escanaba, Michigan 49829; Forest Service National Forest, Ottawa National Forest, U.S. 2 East, Ironwood, Michigan 49938.

MINNESOTA—Forest Service National Forest, Chippewa National Forest, Cass Lake, Minnesota 56633; Forest Service National Forest, Superior National Forest, Box 338, Duluth, Minnesota 55801; Agricultural Marketing Service Milk Market Office, 4570 W. 77th Street, Suite 210, Minneapolis, Minnesota 55435; Animal and Plant Health Inspection Service Field Servicing Office, Butler Sq., W., 5th Fl., 100 N. 6th Street, Minneapolis, Minnesota 55403; Farmers Home Administration State Office, 252 Federal Office Building and U.S. Court House, St. Paul, Minnesota 55101; Food Safety and Inspection Service, Personnel Operations Branch, Butler Sq., W., 4th Floor, 100 N. 6th Street, Minneapolis, Minnesota 55403; Forest Service, North Central Forest Experiment Station, 1992 Folwell Avenue, St. Paul, Minnesota 55108; Soil Conservation Service State Office, 200 Federal Building and U.S. Courthouse, 316 N. Robert St., St. Paul, Minnesota 55101; Forest Service, Northeastern Area State and Private Forestry, 1992 Folwell Avenue, St. Paul, Minnesota 55108.

MISSISSIPPI—Animal and Plant Health Inspection Service, PPQ Southeastern Region, 3505 25th Avenue, P.O. Box 3659, Gulfport, Mississippi 39505; Farmers Home Administration State Office, Federal Building, Room 831, Jackson, Mississippi 39369; Soil Conservation Service State Office, Federal Building, 100 W. Capitol St., Jackson, Mississippi 39269; Forest Service National Forest, National Forests in Mississippi, 100 W. Capitol Street, Suite 1141, Jackson, Mississippi 39269.

MISSOURI—Farmers Home Administration State Office, 555 Vandiver Dr., Columbia, Missouri 65202; Soil Conservation Service State Office, 555 Vandiver Dr., Columbia, Missouri 65202; Agricultural Stabilization and Conservation Service, Kansas City Management Office, 8930 Ward Pky., Kansas City, Missouri 64114; Forest Service National Forest, Mark Twain National Forest, 401 Fairgrounds Road, Rolla, Missouri 65401; Agricultural Marketing Service Milk Market Office, 2550 Schuetz Road, P.O. Box 1485, Maryland Heights, Missouri 63043; Farmers Home Administration Finance Office, 1520 Market St., St. Louis, Missouri 63103.

MONTANA—Forest Service National Forest, Custer National Forest, P.O. Box 2556, Billings, Montana 59103; Farmers Home Administration State Office, Federal Building, P.O. Box 850, Bozeman, Montana 59715; Forest Service National Forest, Gallatin National Forest, Federal Building, P.O. Box 130, Bozeman, Montana 59715; Soil Conservation Service State Office, Federal Building, 10 E. Babcock, Bozeman, Montana 59715; Forest Service National Forest, Deerlodge National Forest, Federal Building, P.O. Box 400, Butte, Montana 59703; Forest Service National Forest, Beaverhead National

Forest, 610 N. Montana Street, P.O. Box 1258, Dillion, Montana 59725; Forest Service National Forest, Lewis and Clark National Forest, Casco Building, 1601 Second Avenue, N., P.O. Box 871, Great Falls, Montana 59403; Forest Service National Forest; Bitterroot National Forest, 316 N. Third Street, Hamilton, Montana 59840; Forest Service National Forest, Helena National Forest Federal Office Building, Drawer 10014, Helena, Montana 59626; Forest Service National Forest; Flathead National Forest, 1935 Third Avenue, E., P.O. Box 147, Kalispell, Montana 59901; Forest Service National Forest; Kootenai National Forest, West Highway 2, Libby, Montana 59923; Forest Service Regional Office, Federal Building, P.O. Box 7669, Missoula, Montana 59807; Forest Service National Forest, Lolo National Forest, Building 24, Ft. Missoula, Missoula, Montana 59801; Forest Service, Intermountain Forest and Range Experiment Station, Forestry Sciences and Northern Forest Fire Laboratories, Drawer G, Missoula, Montana 59806; Forest Service, Aerial Fire Depot, Box 6, Airport Terminal, Missoula, Montana 59802.

NEBRASKA—Forest Service National Forest, Nebraska National Forest, 270 Pine Street, Chadron, Nebraska 69337; Farmers Home Administration State Office, Federal Building, Room 308, 100 Centennial Mall North, Lincoln, Nebraska 68508; Soil Conservation Service State Office, Federal Building, 100 Centennial Mall, N., Lincoln Nebraska 68508.

NEVADA—Forest Service National Forest, Humboldt National Forest, 976 Mountain City Highway, Elko, Nevada 89801; Animal and Plant Health Inspection Service, Veterinary Services Western Region, 245 E. Liberty Street, P.O. Box 2730, Reno, Nevada 89505; Forest Service National Forest, Toiyabo National Forest, 111 N. Virginia Street, Reno, Nevada 89501; Soil Conservation Service State Office, U.S. Post Office Building, Room 234. 50 S. Virginia Street, Reno, Nevada 89505.

NEW HAMPSHIRE—Forest Service, Northeastern Forest Experiment Station, Louis C. Wyman Forestry Sciences Laboratory, P.O. Box 640, Durham, New Hampshire 03824; Soil Conservation Service State Office, Federal Building, Durham, New Hampshire 03824; Forest Service National Forest, White Mountain National Forest, 719 Main Street, Federal Building, P.O. Box 638, Laconia, New Hampshire 03246.

NEW JERSEY—Animal and Plant Health Inspection Service, PPQ Northeastern Region, Blason II, 1st Floor, 505 S. Lenola Road, Moorestown, New Jersey 08057; Soil Conservation Service State Office, 1370 Hamilton Street, Somerset, New Jersey 08873; Farmers Home Administration State Office, 1 Vahlasing Center, Robbinsville, New Jersey 08691; Food and Nutrition Service Mid-Atlantic Regional Office, Mercer Corporate Park, Corporate Boulevard, P.O. Box CNO2150, Trenton, New Jersey 08650;

NEW MEXICO—Forest Service National Forest, Lincoln National Forest, Federal Building, 11th and New York Avenue, Alamogordo, New Mexico 88310; Farmers Home Administration State Office, Federal Building, Room 3414, 517 Gold Avenue, S.W., Albuquerque, New Mexico 87102; Forest Service Regional Office, 517 Gold Avenue, SW., Albuquerque, New Mexico 87102 Forest Service National Forest, Cibola National Forest, 10308 Candelaria, NE., Albuquerque, New Mexico 87112; Soil Conservation Service State Office, 517 Gold Avenue, SW., Albuquerque, New Mexico 87102; Forest Service National Forest, Sanata Fe National Forest, 1220 St. Francis Drive, P.O. Box 1689, Santa Fe, New Mexico 87501; Forest Service National Forest, Gila National Forest, 2610 N. Silver Street, Silver City, New Mexico 88061; Forest Service National Forest, Carson National Forest, Forest Service Building, P.O. Box 558 Taos, New Mexico 87571.

NEW YORK—Agricultural Marketing Service Milk Market Office, 708 Third Avenue, New York, New York 10017; Animal and Plant Health Inspection Service, Veterinary Services Northern Region, Building 12, GSA Depot, Scotia, New York 12302; Farmers Home Administration State Office, U.S. Courthouse and Federal Building, Room 871, 100 S. Clinton Street, Syracuse, New York 13202; Soil Conservation Service State Office, James M. Hanley Federal Building, 100 S. Clinton Street, Syracuse, New York 13260.

NORTH CAROLINA—Forest Service, Southeastern Forest Experiment Station, 200 Weaver Boulevard, Asheville, North Carolina 28804; Forest Service National Forest, National Forests in North Carolina, 50 S. French Broad Avenue, P.O. Box 2750, Asheville, North Carolina 28802; Farmers Home Administration State Office, Room 514, 310 New Bern Avenue, Raleigh, North Carolina 27601; Soil Conservation Service State Office, Federal Office Building, 310 New Bern Avenue, Raleigh, North Carolina 27611.

NORTH DAKOTA—Farmers Home Administration State Office, Federal Building, Room 208, 3rd and Rosser Avenue, Bismarck, North Dakota 58501; Soil Conservation Service State Office, Federal Building, Rosser Avenue and Third Street, Bismarck, North Dakota 58502.

OHIO—Agricultural Marketing Service Milk Market Office, 7851 Freeway Circle, Middleburg Heights, P.O. Box 30128, Cleveland, Ohio 44130; Agricultural Marketing Service Milk Market Office, 5950 Sharon Woods Boulevard, P.O. Box 29226, Columbus, Ohio 42339; Farmers Home Administration State Office, Federal Building, Room 507, 200 N. High Street, Columbus, Ohio 43215; Soil Conservation Service State Office, 200 N. High Street, Columbus, Ohio 43215.

OKLAHOMA—Farmers Home Administration State Office, Agricultural Center Office Building, Stillwater, Oklahoma 74074; Soil Conservation Service State Office, Agricultural Center Building, Farm Rd. and Brumley Street, Stillwater, Oklahoma 74074; Agricultural Marketing Service Milk Market Office, 4325 E. 51st Street, P.O. Box 470563, Tulsa, Oklahoma 74147.

OREGON—Forest Service National Forest, Wallowa-Whitman National Forest, Federal Building, Main and Auburn, Box 907, Baker, Oregon 97814; Forest Service National Forest, Deschutes National Forest, 211 NE., Revere Avenue, Bend, Oregon 97701; Forest Service National Forest, Siuslaw National Forest, P.O. Box 1148, Corvallis, Oregon 97339; Forest Service National Forest, Willamette National Forest, Box 10607, Eugene, Oregon 97440; Forest Service National Forest, Siskiyou National Forest, Box 440, Grants Pass, Oregon 97526; Forest Service National Forest, Mt. Hood National Forest, 2955 NW., Division Street, Gresham, Oregon 97030; Forest Service National Forest, Malheur National Forest, 139 NE. Dayton Street, John Day, Oregon 97845; Forest Service National Forest, Winema National Forest, P.O. Box 1390, Klamath Falls, Oregon 97601; Forest Service National Forest, Fremont National Forest, Box 551 Lakeview, Oregon 97630; Forest Service National Forest, Rogue River National Forest, Federal Building, 333 W. 8th Street, P.O. Box 520, Medford, Oregon 97501; Forest Service National Forest, Umatilla National Forest, 2517 SW Hailey Avenue, Pendleton, Oregon 97801; Farmers Home Administration State Office, Federal Building, Room 1590, 1220 SW 3d Avenue, Portland, Oregon 97204; Forest Service, Pacific Northwest Forest and Range Experiment Station, 319 SW Pine Street, Portland, Oregon 97208; Forest Service Regional Office, 319 SW Pine Street, P.O. Box 3623, Portland, Oregon 97208; Soil Conservation Service State Office, Federal Building, 1220 SW Third Avenue, Portland, Oregon 97204; Soil Conservation Service Technical Center, 511 NW., Broadway, Portland, Oregon 97209; Agricultural Marketing Service Milk Market Office, Tarbell Building; 9735 SW., Shady Lane, Tigard, P.O. Box 23606, Portland, Oregon 97223; Forest Service National Forest, Ochoco National Forest, Federal Building, P.O. Box 490, Prineville, Oregon 97754; Forest Service National Forest, Umpqua National Forest, Box 1008, Roseburg, Oregon 97470.

PENNSYLVANIA—Farmers Home Administration State Office, Federal Building, Room 728, 228 Walnut St., P.O. Box 905, Harrisburg, Pennsylvania 17108; Soil Conservation Service State Office, Federal Building and Court House, Harrisburg, Pennsylvania 17108; Forest Service Northeastern Area State and Private Forestry, 370 Reed Road, Broomall, Pennsylvania 19008; Forest Service, Northeastern Forest Experiment Station, 370 Reed Road, Broomall, Pennsylvania 19008; Soil Conservation Service Technical Service Center, 160 E. Street, Chester, Pennsylvania 19013; Forest Service National Forest, Allegheny National Forest, Spridon Building, P.O. Box 847, Warren, Pennsylvania 16365.

SOUTH CAROLINA—Forest Service Forest Manager, Savannah River Forest Station, P.O. Box A, Aiken, South Carolina 29801; Farmers Home Administration State Office, Strom Thurmond Federal Building, Room 1007, 1835 Assembly Street. 2nd Floor, Columbia, South Carolina 29201; Forest Service National Forest, Francis Marion-Sumter National Forests, 1835 Assembly Street, P.O. Box 2227, Columbia 29202; Soil Conservation Service State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, South Carolina 29201.

SOUTH DAKOTA—Forest Service National Forest, Black Hills National Forest, Forest Service Office Building, P.O. Box 792, Custer, South Dakota 57730; Farmers Home Administration State Office, Huron Federal Building, Room 208, 200 4th Street, SW, Huron, South Dakota 57350; Soil Conservation Service State Office, Federal Building, 200 4th Street, SW, Huron, South Dakota 57350.

TENNESSEE—Forest Service National Forest, Cherokee National Forest, 2800 No. Ocoee Street, NW, Box 2010, Cleveland, Tennessee 37311; Farmers Home Administration State Office, 538 U.S. Courthouse Building, 801 Broadway Street, Nashville, Tennessee 37203; Soil Conservation Service State Office, U.S. Courthouse, 801 Broadway Street, Nashville, Tennessee 37203.

TEXAS—Animal and Plant Health Inspection Service, PPQ South Central Region, 2100 Boca Chica Boulevard, Suite 400, Boca Chica Tower Building, Brownsville, Texas 78521; Agricultural Marketing Service Milk Market Office, 11117 Shady Trail, P.O. Box 29529, Dallas, Texas 75229; Food and Nutrition Service Southwest Regional Office, 1100 Commerce Street, Room 5D 22, Dallas, Texas 75242; Animal and Plant Health Inspection Service, Veterinary Services South Central Region, 221 W. Lancaster Avenue, Suite 310, Fort Worth, Texas 76102; Forest Service National Forests, National Forests in Texas, Homer Garrison Federal Building, 701 N. First Street, Lufkin, Texas 75901; Farmers Home Administration State Office, W.R. Poage Federal Building, 101 S. Main Street, Temple, Texas 76501; Soil Conservation Service State Office, W.R. Poage Federal Building, 101 S. Main Street, P.O. Box 686, Temple, Texas 76503; Soil Conservation Service Technical Service Center, Ft. Worth Federal Center Building 23, Felix and Hemphill Streets, Ft. Worth, Texas 76115.

UTAH—Forest Service National Forest, Dixie National Forest, 82 North 100 East, Cedar City, Utah 84720; Forest Service, Intermountain Forest and Range Experiment Station, Federal Building, 507 25th Street, Ogden, Utah 84401; Forest Service Regional Office, Federal Office Building, 324 25th Street, Ogden, Utah 84401; Forest Service National Forest, Manti-LaSal National Forest, 599 W. Price River Drive, Price, Utah 84501; Forest Service National Forest, Uinta National Forest, 88 W. 100 North, Provo, Utah 84603; Forest Service National Forest, Fishlake National Forest, 115 E. 900 North, Richfield, Utah 84701; Farmers Home Administration State Office, Federal Building, Room 5311, 125 S. State Street, Salt Lake City, Utah 84138; Forest Service National Forest, Wasatch-Cache National Forest, 8226 Federal Building, 125 S. State Street, Salt Lake City, Utah 84138; Forest Service, Geometronics Service Center, 8226 Federal Building, 125 S. State Street, Salt Lake City, Utah 84138; Soil Conservation Service State Office, 4012 Federal Building, 125 S. State Street, Salt Lake City, Utah 84147; Forest Service National Forest, Ashley National Forest, 437 E. Main Street, Vernal, Utah 84078.

VERMONT—Forest Service, Northeastern Forest Experiment Station, George D. Aiken Sugar Maple Laboratory, 705 Spear Street, P.O. Box 968, Winooski, Vermont 05404; Soil Conservation Service State Office, 69 Union St., Burlington Square, Burlington, Vermont 05401; Farmers Home Administration State Office, 141 W. Main Street, P.O. Box 588, Montpelier, Vermont 05602; Forest Service National Forest, Green Mountain National Forest, Federal Building, 151 West Street, Rutland, Vermont 05701.

VIRGINIA—Agricultural Marketing Service Milk Market Office, 300 N. Lee St., Room 320, P.O. 710, Alexandria, Virginia 22313; Forest Service National Forest, George Washington National Forest, 210 Federal Building, Harrisonburg, Virginia 22801; Farmers Home Administration State Office, Federal Building, Room 8213, 400 N. Eighth Street, P.O. Box 10106, Richmond, Virginia 23240; Soil Conservation Service State Office, 400 N. Eighth Street, Richmond, Virginia 23240; Forest Service National Forest, Jefferson National Forest, 210 Franklin Road, SW, Room 954, Caller Service 2900, Roanoke, Virginia 24001.

WASHINGTON—Forest Service National Forest, Colville National Forest, 695 S. Main, Colville, Washington 99114; Forest Service National Forest, Okanogan National Forest, 1240 S. 2nd Avenue, Okanogan, Washington 98840; Forest Service National Forest, Olympic National Forest, Federal Building, P.O. Box 2288, Olympia, Washington 98507; Forest Service National Forest, Mt. Baker-Snoqualmie National Forests, 1022 First Avenue, Seattle, Washington 98104; Soil Conservation Service State Office, 360 U.S. Courthouse, W. 920 Riverside Avenue, Spokane, Washington 99201; Forest Service National Forest, Gifford Pinchot National Forest, 500 W. 12th St., Vancouver, Washington 98660; Farmers Home Administration State Office, Federal Office Building, Room 319, 301 Yakima St., Wenatchee, Washington 98801; Forest Service National Forest, Wenatchee National Forest, Box 811, Wenatchee, Washington 98801.

WEST VIRGINIA—Forest Service National Forest, Monongahela National Forest, USDA Building, Sycamore Street, P.O. Box 1548, Elkins, West Virginia 26241; Farmers Home Administation State Office, Federal Building, Room 320, 75 High Street, Morgantown, West Virginia 26505; Forest Service, Northeastern Forest Experiment Station, Forestry Sciences Laboratory, 180 Canfield Street, Morgantown, West Virginia 26505; Soil Conservation Service State Office, 75 High St., Morgantown, West Virginia 26505; Forest Service, Northeastern Forest Experiment Station, Timber and Watershed Laboratory, P.O. Box 445, Parsons, West Virginia 26287; Forest Service, Northeastern Forest Experiment Station, Forest Sciences Laboratory, P.O. Box 152, Princeton, West Virginia 24740.

WISCONSIN—Forest Service, Forest Products Laboratory, P.O. Box 5130, Madison, Wisconsin 53705; Soil Conservation Service State Office, 4601 Hammersley Road, Madison, Wisconsin 53711; Forest Service Regional Office, Eastern Region, Henry S. Reuss Federal Plaza, Suite 500, 310 W. Wisconsin Avenue, Milwaukee, Wisconsin 53203; Forest Service National Forest, Chequamegon National Forest, 157 N. 5th Avenue, Park Fails, Wisconsin 54552; Forest Service National Forest, Nicolet National Forest, Federal Building, 68 S. Stevens, Rhinelander, Wisconsin 54501; Farmers Home Administration State Office, 1257 Main Street, Stevens Point, Wisconsin 54481.

WYOMING—Farmers Home Administration State Office, Federal Building, Room 1005, 100 E. B. Street, Casper, Wyoming 82601; Soil Conservation Service State Office, Federal Office Building, 100 E. B. Street, Casper, Wyoming 82601; Forest Service National Forest, Shoshone National Forest, 225 W. Yellowstone Highway, P.O. Box 2140, Cody, Wyoming 82414; Forest Service National Forest, Bridger-Teton National Forest, Forest Service Building, 340 N. Cache, P.O. Box 1888, Jackson, Wyoming 83001; Forest Service National Forest, Medicine Bow National Forest, 605 Skyline Drive, Laramie, Wyoming 82070; Forest Service National Forest, Bighorn National Forest, 1969 S. Sheridan Avenue, Sheridan, Wyoming 82801.

PUERTO RICO—Farmers Home Administration State Office, Federal Building, Carlos Chardon Street, G.P.O. Box 8106G, Hato Rey, San Juan, Puerto Rico 00918; Soil Conservation Service Caribbean Office, Federal Office Building, Chardon Avenue, Hato Rey, Puerto Rico 00918; Forest Service National Forest, Caribbean National Forest and State and Private Forestry Programs, Box AQ, Rio Piedras, Puerto Rico 00928.

HEADQUARTERS—Agricultural Marketing Service, Personnel Division, Room 1709–S, Washington, D.C. 20250; Agricultural Stabilization and Conservation Service, Personnel Division, Room 4752–S, Washington, D.C. 20250; Animal and Plant Health Inspection Service, Human Resources Division, Room 213, Federal Building, Hyattsville, MD 20782; Economics Management Staff, Personnel Division, Room 1443–S, Washington, D.C. 20250; Extension Service, Personnel Division, Room 3552–S, Washington, D.C. 20250; Farmers Home Administration Personnel Division, Room 6900–S, Washington, D.C. 20250; Federal Crop Insurance Corporation, Personnel Division, Room 4616–S, Washington, D.C. 20250; Foreign Agricultural Service, Personnel Division, Room 5627–S, Washington, D.C. 20250; Forest Service, Division of Personnel Management, Room 910, Rosslyn Plaza E. Arlington, VA 22209; Food and Nutrition Service, Personnel Division, Park Office Center, Room 813, 3101 Park Center Drive, Alexandria, Va 22302; Office of Inspector General, Personnel Management Staff, Room 16–E, Washington, D.C. 20250; Office of International Cooperation and Development, Personnel Office, Auditors Building, Room 3118, Washington, D.C. 20250; Office of Personnel, Personnel Operations, Room 31–W, Washington, D.C. 20250; Soil Conservation Service, Personnel Staff, P.O. Box 2890, Washington, D.C. 20013; Soil Conservation Service National Office, Administrative Staff, P.O. Box 2890, Washington, D.C. 20013; Rural Electrification Administration, Personnel Management Division, Room 4031–S, Washington, D.C. 20250; Food Safety and Inspection Service, Personnel Division, Room 3161–S, Washington, D.C. 20250.

Categories of individuals covered by the system:

Current and prior employees of USDA and applicants who were not hired, as well as its permittees, cooperators and contractors.

Categories of records in the system:

The system consists of personnel (Official Personnel Folders, Applicant Supply Files, performance files, retention lists, appeals, grievances, complaints, disciplinary, conflict of interest, health, suggestion and incentive awards, accident, training, time and attendance, travel voucher, and classification files) and payroll data needed to conform to all applicable laws, Government regulations and procedures, and the needs of the Department and agencies in carrying out their personnel management responsibilities.

Authority for maintenance of the system:

5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to: (1) Office of Personnel Management for required action, records and reports; (2) Department of Treasury for issuance of checks and bonds; (3) Department of Labor for Office of Workers Compensation Program and Office of Safety and Health Administration; (4) Department of Commerce for distribution of Federal payrolls; (5) Congress for special reports; (6) White House for special reports; (7) Office of Management and Budget for special reports; (8) General Accounting Office for special reports; (9) Department of Justice; (10) General Services Administration for records retirement and/or destruction; (11) State Department for passport and foreign assignments; (12) Department of Transportation, Environmental Protection Agency and cooperating state and local agencies for accident and safety records; (13) Internal Revenue Service and State and local government for matters in connection with payment of income taxes; (14) Social Security Administration for social security payment information; (15) United Fund for reports and records; (16) Department of Health and Human Services for scheduling physical examinations; (17) all Government agencies and potential employers concerning employment inquiries; (18) Equal Employment Opportunity Commission for handling complaints; (19) appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civli, criminal or regulatory in nature, and whether arising by general statute or othe particular program statute, or by rule, regulation or order issued pursuant thereto; (20) a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery;(21) any agency of the Federal Government which has identified USDA employees as having defaulted in the repayment of an obligation incurred under any statutory authority except the Internal Revenue Code, the Social Security Act or the U.S. tariff laws; (22) the contractor selected to conduct a matching program relating to unemployment compensation; (23) the contractor selected to verify employment for specific claims relating to workers compensation, (24) the Internal Revenue Service to enable it to offset and satisfy past due, illegally enforceable debts owed to USDA against Federal income tax refunds; and (25) labor organizations recognized under 5 U.S.C. Chapter 71 to provide home addresses or designated mailing addresses of bargaining unit employees.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Debt Collection Act of 1982 (31 U.S.C. 3711(d)(4)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders at the applicable address listed above, except for the National Finance Center where they are maintained on computer tape and disk storage.

Retrievability:

Records are indexed by name of employee and/or identification number.

Safeguards:

Records are kept in locked files, locked offices and/or in secured computer tape storage rooms.

Retention and disposal:

Records are maintained indefinitely until employees are separated from the Department and are then retired or transferred to a new employing agency or destroyed in conformance with appropriate General Services Administration retirement and/or destruction Schedules.

System manager(s) and address:

Director, Office of Personnel, USDA, Washington, D.C. 20250.

Notification procedure:

Employees may request information from this system from the appropriate personnel office having custody of his/her records. A request for information should be addressed to the Director, Personnel Division, (name of appropriate Agency) USDA at the address shown under location and should contain:

Name of requestor, employing agency in USAD or agency to which information was furnished, address of agency and particular information requested.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him/her by submitting a written request to the appropriate offices referred to in the preceding paragraph.

Contesting record procedures:

Same as Record access procedures.

Record source categories:

Information in this system comes from the employees applicants, permittees, cooperators, contractors, employee's personnel offices, supervisors, references, investigative personnel, colleges and universities and former employers.

USDA/OP—2

System name: Security Records for USDA employees, USDA/OP.

System location: Security and Employee Relations Division, Office of Personnel, USDA, Room 16-W, Administration Building, 14th Street and Independence Avenue, SW, Washington, D.C. 20250.

Categories of individuals covered by the system: All USDA applicants and/or employees investigated under the the authority of Executive Order 10450.

Categories of records in the system: The System consists of investigative files maintained by the Department Security Officer in fulfilling his responsibilities in granting security clearances under the Personal Security Program of the Department.

Authority for maintenance of the system: 5 U.S.C. 22-1; 22-3; Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Referral to the Civil Service Commission and/or the Federal Bureau of Investigation for appropriate investigation; (2) referral to the agency which conducted the investigation upon the retirement or transfer of the employee; (3) referral to the General Services Administration for retirement and/or destruction purposes; (4) certification of Security Clearances to other Government agencies; (5) referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation or order issued pursuant thereto, of any record within this System when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto; (6) referral to a court, magistrate or administrative tribunal, or to opposing counsel in a proceeding before any of the above, of any record within the system which constitutes evidence in that proceeding, or which is sought in the course of discovery. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in locked Lektriever 100's which are contained in a locked room.

Retrievability: Records are indexed by name of the employee or applicant.

Safeguards: As stated above under STORAGE.

Retention and disposal: Records are maintained until employee has retired, or transferred to another Government agency. They are then returned to the agency that conducted the investigation, or retired to the General Services Administration for destruction under the appropriate destruction schedule.

System manager(s) and address: Department Security Officer, U.S. Department of Agriculture, Washington, D.C. 20250.

Notification procedure: Employees may request information, other than that exempted, from this System from the Department Security Officer, U.S. Department of Agriculture, under the address shown above in LOCATION. All requests should include the name of the requestor, employing agency or agency to where application was made, address of requestor, location of employing agency, and particular information requested.

Record access procedures: Any individual may obtain information as to the procedures for gaining access to and contesting a record in the System which pertains to him by submitting a written request to the office mentioned above.

Contesting record procedures: Same as RECORD ACCESS PROCEDURES.

Record source categories: Information in this System comes from the employee, his references, present and former supervisors, educational institutions, the Civil Service Commission, the Federal Bureau of Investigation, the investigative arms of the various agencies of the Department of Defense, the investigative arms of other Executive Departments and Agencies, and various local and state law enforcement agencies.

USDA/OP-3

System name: Committee Management Records System.

System location: Security and Employee Relations Staff, Office of Personnel, Room 16–W, Administration Building, 14th and Independence Avenue, SW, Washington, D.C. 20250.

Categories of individuals covered by the system: All public members of USDA Advisory Committees.

Categories of records in the system: The system consists of keypunched cards for each advisory committee member which reflects his/her name, business or home address, date of appointment expiration, sex, ethnic affiliation and occupational category.

Authority for maintenance of the system: Pub. L. 92-463 and Title XVIII of Pub. L. 95-113.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used solely for administrative purposes and one report generated from the system is distributed to the Office of the Secretary and the Office of Minority Affairs on a quarterly basis.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in loose leaf binders and on computer keypunch cards.

Retrievability: Records are indexed into five separate reports—alphabetically by member's name, by name of committee, by State, by female members and by ethnic breakdown.

Safeguards: Records are kept in locked rooms. All information generated, with the exception of ethnic breakdown of members is required as a part of two annual reports which is available to the public. The report by the ethnic grouping is used as an internal management tool.

Retention and disposal: Records are maintained as long as the individual serves as a member of an advisory committee. Source documents are periodically sent to the USDA historian.

System manager(s) and address: Director, Office of Personnel, USDA, Washington, D.C. 20250.

Record access procedures: Any individual may obtain a listing of the membership of any advisory committee by submitting a written request o the address shown above.

Record source categories: All information contained in this system is obtained from the USDA Agency which is responsible for the support of each advisory committee. None is collected by the Office of Personnel.

USDA/P&SA—1

System name: Packers and Stockyards Administration Administrative Records, USDA/P&SA.

System location:

Packers and Stockyards Administrative Office, Rm. 3042, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, and the Regional Supervisors in charge of the following regional offices located at: Rm. 338, 1720 Peachtree Street, NW, Atlanta, Georgia 30309; Turnpike Road, Box 101E, Bedford, Virginia 24523; 208 Livestock Exchange Building, Denver, Colorado 80216; Rm. 8A36, Federal Building, 819 Taylor Street, Fort Worth, Texas 76102; Suite 24, 537 Turtle Creek, South Drive, Indianapolis, Indiana 46227; 828 Livestock Exchange Building, Kansas City, Missouri 64102; Rm. 2W6, 15000 Aviation Boulevard, Lawndale, California 90260; Rm. 459, Federal Building, 167 North Main Street, Memphis, Tennessee 38103; Rm. 303, 825 Georges Road, North Brunswick, New Jersey 08902; 909 Livestock Exchange Building, Omaha, Nebraska 68107; 9370 S. W. Greenburg Road, Suite E, Portland, Oregon 97223; 203 Post Office Building, Box 8, South St. Paul, Minnesota 55075; and 975 Durkin Drive, Suite G, Springfield, Illinois 62704.

Categories of individuals covered by the system:

Present employees of the Packers and Stockyards Administration.

Categories of records in the system:

The system includes personnel (personnel record cards reflecting the name, date of birth, grade, salary, and employment history of present employees; performance evaluation forms; requests for training authorizations; recommendations for promotion; copies of personnel actions; and correspondence relating to individual employees' conduct), payroll and fiscal data required to meet the needs of P&SA personnel and fiscal responsibilities.

Authority for maintenance of the system:

5 U.S.C. 301; 7 CFR 2.54.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data contained in the foregoing records is routinely used to answer inquiries from agencies considering the employees identified in the system for employment as well as for credit checks. This information is also used to initiate requests for investigation of Packers and Stockyards Administration employees for purposes of security and conduct. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

With the exception of personnel record cards, all of these records are maintained on paper in file folders at the appropriate addresses cited.

Retrievability:

All of the records are indexed and retrievable by name of the individual employees.

Safeguards:

The records are maintained in locked files.

Retention and disposal:

The personnel record cards are maintained until an individual leaves P&SA. The performance evaluation forms for current employees are maintained indefinitely. The Time and Attendance reports are maintained for the current year and three years thereafter for employees currently on the rolls. Final Time and Attendance reports are maintained for ten years after the date of separation of the employees. Travel vouchers, copies of personnel actions, training documents, and recommendations for promotion are maintained for five years from the date of submission. Correspondence with respect to employee conduct is maintained while the employee remains on the rolls. The administrative officer of the Packers and Stockyards Administration physically mutilates the records on the scheduled disposal date and they are thrown away with the agency's waste.

System manager(s) and address:

Administrative Officer, Packers and Stockyards Administration, Rm. 3042, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, and Regional Supervisors of regional offices at locations previously specified.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from the System Manager. Telephone (202-447-7045) or the appropriate Regional Supervisor. Requests for information pertaining to an individual should contain: Name, location at which the individual worked for P&SA and the approximate dates.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the appropriate officials previously specified.

Contesting record procedures:

Use same procedures as for requesting access.

Record source categories:

Information in this system comes primarily from the individuals concerned, personnel, training, travel and payroll records.

USDA/P&SA-2

System name:

Persons engaged in business as livestock market agencies and dealers under the provisions of the Packers and Stockyards Act, USDA/P&SA.

System location:

Financial Protection Branch, Livestock Marketing Division, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Also files for specific geographical regions maintained in the thirteen (13) Regional Supervisory Offices of P&SA.

Categories of individuals covered by the system:

Individuals who have applied for registration or are registered as livestock market agencies and dealers under the Packers and Stockyards Act.

Categories of records in the system:

The system consists of index cards bearing the names of individuals who are registered under the provisions of the Act. Also cross-reference cards bearing the names of individuals who are owners or officers of registrant firms. From the index cards access may be gained to other systems of records identified as follows: (1) Registration Record Cards, (2) Case Record Cards, (3) Bond Claim Record Cards, (4) Registration Jurisdictional Files, and (5) Stockyard Jurisdictional Files.

Authority for maintenance of the system:

7 U.S.C. 181 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To answer inquiries from Federal and State agencies, livestock trade organizations, and others having a definite and proved interest in such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in card file cabinets and file folders at the applicable address listed above.

Retrievability:

All index cards are maintained in an alphabetical order by name of registrant and by name of owners or officers of registrant firms.

Safeguards:

Records are kept in locked cabinets under the supervision of competent personnel.

Retention and disposal:

All files mentioned are maintained during active life of registration. When rendered inactive records are maintained for a period of two years in accordance with an approved records disposition schedule.

System manager(s) and address:

Chief, Financial Protection Branch, Livestock Marketing Division, Packers and Stockyards Administration, USDA, Washington, D.C. 20250.

Notification procedure:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him from System Manager, Telephone (202-447-4615 or 16). A request for information pertaining to an individual should contain that individual's full name, and current mailing address.

Record access procedures:

Any individual desiring to gain access to a record maintained in the system which pertains to him may do so by submitting a written request to the appropriate official referred to in the preceding paragraph.

Contesting record procedures:

Use same procedures as followed in seeking access.

Record source categories:

Information in this system comes primarily from individuals who make application for registration or who are registered under the Packers and Stockyards Act, 1921, as amended. A limited amount of information in the system is obtained from other sources such as corporate surety companies, persons acting as trustee on bonds or bond equivalents and Packers and Stockyards Administration, Regional Supervisory personnel.

USDA/SEC—1

System name: Non-Career Applicant File, USDA/SEC

System location: Office of the Secretary, 14th and Independence Avenue, SW., Room 202A, Administration Building, Washington, D.C. 20250

Categories of individuals covered by the system: Individuals who have applied or have been referred to the Department for non-career appointments.

Categories of records in the system: Consists of resumes and correspondence regarding individuals who are generally interested in non-career appointments, who are candidates for specific appointments and those who have been appointed.

Authority for maintenance of the system: 5 U.S.C. 3301-3302; 5 CFR Part 9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to agency heads in anticipation of or in the case of specific non-career vacancies. "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file folders in the Office of the Deputy Under Secretary, United States Department of Agriculture, Washington, D.C. 20250.

Retrievability: Records indexed by name of individual.

Safeguards: Records kept in locked files with a pad locked security bar.

Retention and disposal: Records more than a year old are usually disposed of or if an applicant has accepted employment elsewhere, the files are discarded.

System manager(s) and address: Deputy Under Secretary, Office of the Secretary, United States Department of Agriculture, Room 202-E, Administration Building, Washington, D.C. 20250.

Notification procedure: Any person may request information regarding this system of records, or information as to whether the system contains records pertaining to him, from the System Manager. Such requests should include the name and address of the requester and a statement of his reasons for believing the system may contain records about him.

Record access procedures: Use same procedures as for requesting Notification.

Contesting record procedures: Use same procedures as for requesting Notification.

Record source categories: Information on this system comes from the individuals themselves, various federal, state and local governmental agencies, and persons having knowledge of the individual's character and capabilities.

Systems exempted from certain provisions of the act: This system has been exempted pursuant to 5 U.S.C. 552a(k)(5) from the requirements of 5 USC 552a(c)(3), (d), (e)(l), (e)(4) (G), (H) and (I) and (f), but only to the extent that disclosure of records contained in the system would reveal the identity of a source who had furnished information to the Government under an express promise that the identity of the source would be held in confidence (or, prior to September 27, 1975, under an implied promise the identity of the source would be held in confidence). See 7 CFR 1.123. If such promise of confidentiality could not be made, the Department's ability to obtain candid evaluations of persons being considered for appointment to non-career positions would be greatly impaired. This exemption enables the Department to obtain needed information when the source will not provide it unless he has promised that his identity will be kept confidential.

USDA-SCS-1

System name:

Program Cooperators—Soil Conservation Service, USDA/SCS

System location.

All field offices of the Soil Conservation Service, usually located in county seats of government. Addresses of each field office are listed in the telephone directories of the field office locations under the heading, "United States Government, Department of Agriculture, Soil Conservation Service."

Categories of individuals covered by the system:

Cooperators with SCS programs including soil and water conservation district cooperators.

Categories of records in the system:

The system consists of an automated retrieval system and file folders on individual cooperators recording the planning, development, and accomplishments of the plan on his or her land. These files contain personal and economic data.

Authority for maintenance of the system:

16 U.S.C. 590 a–f, q, q-1 and 42 U.S.C. 3271–3274

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Records may be disclosed to cooperating Federal, State, and local agencies, as necessary for implementation of conservation programs. (2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (3) Disclosure to Federal, State, and local agencies, when necessary to certify that a conservation plan is in effect for land users to qualify for other USDA program benefits. (4) Referral to the Department of Justice when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (5) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the

agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected. (6) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic media in an automated retrieval system and in file folders in field offices.

Retrievability:

Records can be retrieved by name of cooperator, operator unit identification number, location code, farm type, soil survey area, soil conservation district code, resource management systems and practices, and contract information.

Safeguards:

System access is restricted to authorized Soil Conservation Service employees and conservation district employees. The automated data retrieval system is secured by a series of restricted user passwords. Manual files are maintained in file cabinets. Offices are locked during non-business hours.

Retention and disposal:

Records are maintained as long as land remains in agricultural uses.

System manager(s) and address:

District conservationists or other designees in charge of field offices. Addresses of each field office are listed in the telephone directories of the field office locations under "United States Government, Department of Agriculture, Soil Conservation Service."

Notification procedure:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him by contacting the respective district conservationist or other designee. If the specific location of the record is not known, the individual should address his request to the Chief, Records Management Branch, Information Resources Management Division, USDA Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013, who will refer it to the appropriate field office. A request for information pertaining to an individual should contain: Name, address, and particulars involved (i.e., name or nature of program, name of cooperating body, etc.)

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the district conservationist or his designated representative or to the Chief, Records Management Branch, USDA-SCS, Washington, D.C. 20013.

Contesting record procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the District Conservationist or his designated representative or to the Chief, Records Management Branch, USDA-SCS, Washington, D.C. 20013.

Record source categories:

Information in this system comes from land users (cooperators) and SCS technicians who develop and manage plans with them.

USDA-SCS-2

System name:

Volunteers—Soil Conservation Service, USDA/SCS.

System location:

All offices of the Soil Conservation Service. Addresses of Soil Conservation Service offices are listed in the telephone directories under the heading, "United States Government, Department of Agriculture, Soil Conservation Service."

Categories of individuals covered by the system:

Individuals who volunteer to serve the Soil Conservation Service.

Categories of records in the system:

The system consists of an automated retrieval system and file folders on individual volunteers which record information on the volunteers and their positions and hours worked. These files contain personal data including names, home addresses, home telephone numbers, Social Security Account numbers, education level, driver's license, emergency data, duty station, previous occupation, skills, interests, job titles, dates of service, hours worked, work performed, performance evaluation data, and reason for separation.

Authority for maintenance of the system:

Title 7, U.S. Code, Section 2272, authorizes USDA to utilize volunteers to carry out soil and water conservation work.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records and data may be disclosed, as is necessary: (1) To Members of Congress to respond to inquiries made on behalf of individual constituents who are record subjects; (2) to the Department of Justice when: (a) The agency, or any component thereof; or (b) an employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (3) in a proceeding before a court or adjudicative body before which the agency is authorized to appear when: (a) The agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected; (4) in the event that material in this system indicates a violation of law, whether civil or criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule, or order issued pursuant thereto, the relevant records may be disclosed to the appropriate Federal, State, foreign or local agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in an automated database retrieval system and in file folders in the offices in which volunteers work.

Retrievability:

Records are retrieved by name of volunteer, Social Security Account Number, and duty station.

Safeguards:

System access is restricted to authorized Soil Conservation Service employees. The automated data retrieval system is secured by a series of restricted user passwords. Manual files are maintained in file cabinets. Offices are locked during nonbusiness hours.

Retention and disposal:

Records are maintained in the system for as long as the individual volunteer works for the agency. Upon termination, records of hours worked are transferred to the National Finance Center in New Orleans, to provide the individual credit for the work experience.

System manager(s) and address:

The system is managed by the Coordinator of Volunteer Services, Judith K. Johnson, 7515 NE Ankeny Road, Ankeny, Iowa 50021.

Notification procedure:

Any individual may request information regarding this system of records by contacting the state volunteer program coordinator. For general information regarding the system or if the location of the record is not known with sufficient specificity, the individual should address his request to the Chief, Records Management Branch, Information Resources Management Division, USDA Soil Conservation Service, P.O. Box 2890, Washington, DC 20013, who will refer it to the appropriate office.

Record access procedures:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to the above-named system manager or to the Chief, Records Management Branch, USDA-SCS, Washington, DC 20013.

Contesting record procedures:

All inquiries should be addressed to the Chief, Records Management Branch, USDA-SCS, Washington, DC 20013.

Record source categories:

Information in this system is supplied by the volunteers themselves, using application forms and interest and skills questionnaires approved for this use. Information on hours worked is provided by the volunteers through their direct supervisors.

USDA/SCS—3

System name: Federal Financed Cost-Sharing Information applicable to individual particpants in USDA—Soil Conservation Service (SCS) programs.

System location: Records in this system are maintained at the Soil Conservation Service. Headquarters in Washington, D.C. and in the ComputerCenters located at the National Finance Center, New Orleans, Louisiana, SCS Technical Service Center, Fort Worth, Texas, and USDA Computer Centers located in Washington, D.C., Fort Collins, Colorado, and Kansas City, Missouri.

Categories of individuals covered by the system: Volunteer participants, namely landowners and operators in conservation programs administered by the Soil Conservation Service where federally financed cost sharing is involved. The programs are the Great Plains Conservation Program, Small Watershed Program, Rural Abandoned Mine Program, and Resource Conservation and Development Program.

Categories of records in the system: Computer data cards, tapes, computer printouts, and hard copies of records. these records include name, address, social security number, SCS program, and amount of payment by program.

Authority for maintenance of the system: Soil Conservation Act, Pub. L. 74-46, 49 Stat. 163, (16 U.S.C. 590a-f, q); Resource Conservation and Development Program, Pub. L. 87-703, as amended (7 U.S.C. 1010-1011); Small Watershed Program, Pub. L. 83-566, 68 Stat. 666, as amended (16 U.S.C. 1001-1009); Rural Abandoned Mine Program, Pub. L. 95-87, 91 Stat. 163 (16 U.S.C. 590 a-f, q); Great Plains Conservation Program, Pub. L. 84-1021, 70 Stat. 1115, as amended (16 U.S.C. 590 p(b)); and related laws 42 U.S.C. 3271-3274.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Report to Internal Revenue Service (IRS) of payments made to individual participants for income tax purposes. Also used by authorized USDA personnel for budget estimates and program cost data.

Disclosure of data to IRS is in accordance with the Internal Revenue Act of 1954 (26 U.S.C. 6041) as amended.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

By individual on keypunched cards or magnetic tapes for computers.

Retrievability: Names and addresses of the individuals are kept for reports to the Internal Revenue Service. Record material will be retrieved by name, social security number, and program applicable.

Safeguards: Locked file cabinets, locked computer storage rooms, and locked computer terminal rooms. Access to records is in accordance with USDA ADP security plan as supplemented by SCS.

Retention and disposal: Maintained indefinitely on a currently updated basis.

System manager(s) and address: Chief, Management Systems Branch, Management Evaluation Division, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013.

Notification procedure: Any Soil Conservation Service officer from which the individual participant has received technical assistance for implementation of a conservation plan required for Federal cost-sharing financial assistance will receive requests for information regarding the system of records. Identifying information should be made by individual names, social security number, address, contract or agreement number, and program involved.

Record access procedures: To obtain information for obtaining access to the system of records, write to the system manager listed above.

Contesting record procedures: Use the same procedures as for records access.

Record source categories: Participants voluntarily ask for Federal financial cost-share assistance to apply needed conservation treatment or practices to lands owned or operated by the individual particpant. Such cost-sharing data is needed for Federal income tax information as it applies to the year and income of the participant using the programs.

Title 7-Agriculture

Subtitle A-Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

Subpart G—Privacy Act Regulations

Sec.
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Appendix A—Internal Directives

Subpart G—Privacy Act Regulations

Authority: 5 U.S.C. 552a.

Source: 40 FR 39519, Aug. 28, 1975, unless otherwise noted.

§ 1.110 Purpose and scope.

This subpart contains the regulations of the U.S. Department of Agriculture (USDA) implementing the Privacy Act of 1974 (5 U.S.C. 552a). It sets forth the basic responsibilities of each agency of USDA with regard to USDA's compliance with the requirements of the Act, and offers guidance to members of the public who wish to exercise any of the rights established by the Act with regard to records maintained by an agency of USDA.

§ 1.111 Definitions.

For purposes of this subpart the terms "individual," "maintain," "record," "system of records," "statistical record," and "routine use" shall have the meanings set forth in 5 U.S.C. 552a(a). The term "agency" shall mean an agency of USDA, unless otherwise indicated.

§ 1.112 Procedures for requests pertaining to individual records in a record system.

(a) Any individual who wishes to be notified if a system of records maintained by an agency contains any record pertaining to him, or to request access to such records, shall submit a written request in accordance with the instructions set forth in the system notice for that system of records. This request shall include:

(1) The name of the individual making the request;

(2) The name of the system of records (as set forth in the system notice to which the request relates);

(3) Any other information specified in the system notice; and

(4) When the request is one for access, a statement as to whether the requester desires to make a personal inspection of the records, or be supplied with copies by mail.

(b) Any individual whose request under paragraph (a) of this section is denied may appeal that denial to the head of the agency which maintains the system of records to which the request relates.

(c) In the event that an appeal under paragraph (b) of this section is denied, the requester may bring a civil action in federal district court to seek review of the denial.

§ 1.113 Times, places, and requirements for identification of individuals making requests.

(a) If an individual submitting a request for access under § 1.112 has asked that an agency authorize a personal inspection of records pertaining to him, and the agency has granted that request, the requester shall present himself at the time and place specified in the agency's response or arrange another, mutually convenient, time with the appropriate agency official.

(b) Prior to inspection of the records, the requester shall present sufficient identification (e.g., driver's license, employee identification card, social security card, credit cards) to establish that he is the individual to whom the records pertain. If the requester is unable to provide such identification, he shall complete and sign in the presence of an agency official a signed statement asserting his identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is a misdemeanor punishable by fine up to $5,000. No identification shall be required, however, when the records are ones whose disclosure is required by 5 U.S.C. 552.

(c) Any individual who has requested access to records about him via personal inspection, and who wishes to have another person or persons accompany him during this inspection, shall submit a written statement authorizing disclosure of the record in their presence.

(d) Any individual having made a personal inspection of records pertaining to him may request the agency to provide him copies of those records or any portion thereof. Each agency shall grant such requests but may charge fees in accordance with § 1.120.

(e) If an individual submitting a request for access under § 1.112 wishes to be supplied with copies of the records by mail, he shall include with his request sufficient data for the agency to verify his identity. If the sensitivity of the records warrant it, however, the agency to which the request is directed may require the requester to submit a signed, notarized statement indicating that he is the individual to whom the records pertain and stipulating he understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is a misdemeanor punishable by fine up to $5,000. No identification shall be required, however, when the records are ones whose disclosure is required by 5 U.S.C. 552. If the agency to which this request is directed determines to grant the requested access, it may charge fees in accordance with § 1.120 before making the necessary copies.

§ 1.114 Disclosure of requested information to individuals.

(a) Any agency which receives a request or appeal under § 1.112 should acknowledge the request or appeal within 10 days of its receipt (excluding Saturdays, Sundays, and legal public holidays). Wherever practicable, the acknowledgment should indicate whether or not access will be granted and, if so, when and where. When access is to be granted, the agency should provide the access within 30 days of receipt of the request or appeal (excluding Saturdays, Sundays and legal public holidays) unless, for good cause shown, it is unable to do so. If the agency is unable to meet this deadline, it shall inform the requester of this fact, the reasons for its inability to do so, and an estimate of the date on which access will be granted.

(b) Nothing in 5 U.S.C. 552a or this subpart shall be interpreted to require that an individual making a request under § 1.112 be granted access to the physical record itself. The form in which a record is kept (e.g., on magnetic tape), or the content of the record (e.g., a record indexed under the name of the requester may contain records which are not about the requester) may require that the record be edited or translated in some manner. Neither of these procedures may be utilized, however, to withhold information in a record about the requester.

(c) No agency shall deny any request under § 1.112 for information concerning the existence of records about the requester in any system of records it maintains, or deny any request for access to records about the requester in any system of records it maintains, unless that system is exempted from the requirements of 5 U.S.C. 552a(d) in § 1.123.

(d) If any agency receives a request pursuant to § 1.112(a) for access to records in a system of records it maintains which is so exempted, the system manager shall determine if the exemption is to be asserted. If he determines to deny the request, he shall inform the requester of that determination, the reason for the determination, and the title and address of the agency head to whom the denial can be appealed.

(e) If the head of an agency determines that an appeal pursuant to § 1.112(b) is to be denied, he shall inform the requester of that determination, the reason therefor, and his right under 5 U.S.C. 552a(g) to seek judicial review of the denial in federal district court.

(f) Nothing in 5 U.S.C. 552a or this subpart shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

§ 1.115 Special procedures: Medical records.

In the event an agency receives a request pursuant to § 1.112 for access to medical records (including psychological records) whose disclosure it determines would be harmful to the individual to whom they relate, it may refuse to disclose the records directly to the requester but shall transmit them to a doctor designated by that individual.

§ 1.116 Request for correction or amendment to record.

(a) Any individual who wishes to request correction or amendment of any record pertaining to him contained in a system of records maintained by an agency shall submit that request in writing in accordance with the instructions set forth in the system notice for that system of records. This request shall include:

(1) The name of the individual making the request;

(2) The name of the system of records (as set forth in the system notice to which the request relates);

(3) A description of the nature (e.g., modification, addition or deletion) and substance of the correction or amendment requested; and

(4) Any other information specified in the system notice.

(b) Any individual submitting a request pursuant to paragraph (a) of this section shall include sufficient information in support of that request to allow the agency to which it is addressed to apply the standards set forth in 5 U.S.C. 552(e) (1) and (5).

(c) Any individual whose request under paragraph (a) of this section is denied may appeal that denial to the head of the agency which maintains the system of records to which the request relates.

(d) In the event that an appeal under paragraph (c) of this section is denied, the requester may bring a civil action in federal district court to seek review of the denial.

§ 1.117 Agency review of request for correction or amendment of record.

(a) Any agency which receives a request for amendment or correction under § 1.116 shall acknowledge that request within 10 days of its receipt (excluding Saturdays, Sundays and legal public holidays). It shall also promptly, either:

(1) Make any correction, deletion or addition with regard to any portion of a record which the requester believes is not accurate, relevant, timely or complete; or

(2) Inform the requester of its refusal to amend the record in accordance with his request; the reason for the refusal; the procedures whereby he can appeal the refusal to the head of the agency; and the title and business address of that official. If the agency informs the requester of its determination within the 10-day deadline, a separate acknowledgement is not required.

(b) If an agency is unable to comply with either paragraphs (a)(1) or (2) of this section within 30 days of its receipt of a request for correction or amendment, (excluding Saturdays, Sundays and legal public holidays), it should inform the requester of that fact, the reasons therefor, and the approximate date on which a determination will be reached.

(c) In conducting its review of a request for correction or amendment, each agency shall be guided by the requirements of 5 U.S.C. 552a(e) (1) and (5).

(d) If an agency determines to grant all or any portion of a request for correction or amendment, it shall:

(1) Advise the individual of that determination;

(2) Make the requested correction or amendment; and

(3) Inform any person or agency outside USDA to whom the record has been disclosed, and where an accounting of that disclosure is maintained in accordance with 5 U.S.C. 552a(c), of the occurrence and substance of the correction or amendments.

(e) If an agency determines not to grant all or any portion of a request for correction or amendment, it shall:

(1) Comply with paragraph (d) of this section with regard to any correction or amendment which is made;

(2) Advise the requester of its determination and the reasons therefor;

(3) Inform the requester that he may appeal this determination to the head of the agency which maintains the system of records; and

(4) Describe the procedures for making such an appeal, including the title and business address of the official to whom the appeal is to be addressed.

(f) In the event that an agency receives a notice of correction or amendment to information in a record contained in a system of records which it maintains, it shall comply with paragraphs (d) (2) and (3) of this section in the same manner as if it had made the correction or amendment itself.

§ 1.118 Appeal of initial adverse agency determination on correction or amendment.

(a) Any individual whose request for correction or amendment under § 1.116 is denied, and who wishes to appeal that denial, shall address such appeal to the head of the agency which maintains the system of records to which the request relates, in accordance with the procedures set forth in the agency's initial denial of the request.

(b) The head of each agency shall make a final determination with regard to an appeal submitted under paragraph (a) of this section not later than 30 days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests a review, unless, for good cause shown, the head of the agency extends this 30-day period and so notifies the requester, together with an estimate of the date on which a final determination will be made. Such extension should be utilized only in exceptional circumstances and should not normally exceed 30 days. The delegation of authority set forth in this paragraph may not be redelegated.

(c) In conducting his review of an appeal submitted under paragraph (a) of this section, the head of an agency shall be guided by the requirements of 5 U.S.C. 552a(e) (1) and (5).

(d) If the head of an agency determines to grant all or any portion of an appeal submitted under paragraph (a) of this section, he shall inform the requester and the agency shall comply with the procedures set forth in § 1.117(d)(2) and (d)(3).

(e) If the head of an agency determines in accordance with paragraph (c) of this section not to grant all or any portion of an appeal submitted under paragraph (a) of this section, he shall inform the requester:

(1) Of this determination and the reasons therefore;

(2) Of the requester's right to file a concise statement of his reasons for disagreeing with the agency's decision;

(3) Of the procedures for filing such a statement of disagreement;

(4) That such statements of disagreements will be made available to anyone to whom the record is subsequently disclosed, together with (if the agency deems it appropriate) a brief statement by the agency summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided with a copy of the statement of disagreement, together with (if the agency deems it appropriate) a brief statement of the agency's reasons for refusing to amend the record, to the extent that an accounting of disclosures is maintained under 5 U.S.C. 552a(c); and

(6) Of the requester's right to seek judicial review of the agency's determination in accordance with 5 U.S.C. 552a(g). The agency shall insure that any statements of disagreement submitted by a requester are handled in accordance with paragraphs (e) (4) and (5) of this section.

§ 1.119 Disclosure of record to person other than the individual to whom it pertains.

No agency shall disclose any record which is contained in a system of records it maintains, by any means of communication to any person, or to another agency outside USDA, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless the disclosure is authorized by one or more provisions of 5 U.S.C. 552a(b).

§ 1.120 Fees.

Any agency which provides copies of records pursuant to a request under this subpart may charge fees for the direct costs of producing such copies in accordance with Appendix A to Subpart A of this part. No agency, however, shall charge any fee for searches necessary to locate records. Nor shall an agency charge any fees for copies or searches, when the requester sought to make a personal inspection but was provided copies instead at the discretion of the agency.

§ 1.121 Penalties.

The criminal penalties which have been established for violations of the Privacy Act of 1974 are set forth in 5 U.S.C. 552a(i). These penalties are applicable to any officer or employee of an agency who commits any of the enumerated acts. These penalties also apply to contractors and employees of such contractors who enter into contracts with an agency of USDA on or after September 27, 1975, and who are considered to be employees of the agency within the meaning of 5 U.S.C. 552a(m).

§ 1.122 General exemptions.

Pursuant to 5 U.S.C. 552a(j), and for the reasons set forth in 54 FR 11204–11206 (March 17, 1989), the systems of records (or portions thereof) maintained by agencies of USDA identified below are exempted from the provisions of 5 U.S.C. 552a, except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i).

Office of Inspector General, Intelligence Records, USDA/OIG–2.

Investigative Files and Subject/Title Index, USDA/OIG–3.

[54 FR 39517, Sept. 27, 1989]

§ 1.123 Specific exemptions.

Pursuant to 5 U.S.C. 552a(k), the systems of records (or portions thereof) maintained by agencies of USDA identified below are exempted from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). The reasons for exempting each system are set out in the notice for that system published in the **Federal Register**.

Agricultural Marketing Service

AMS Office of Compliance Review Cases, USDA/AMS–11.

Agricultural Stabilization and Conservation Service

EEO Complaints and Discrimination Investigation Reports, USDA/ASCS'12.

Investigation and Audit Reports, USDA/ASCS–18.

Producer Appeals, USDA/ASCS–21.

Animal and Plant Health Inspection Service

Plant Protection and Quarantine Program—Regulatory Actions, USDA/APHIS–1.

Veterinary Services Programs—Records of Accredited Veterinarians, USDA/APHIS–2.

Veterinary Services Programs—Animal Quarantine Regulatory Actions, USDA/APHIS–3.

Veterinary Services Programs—Animal Welfare and Horse Protection Regulatory Actions, USDA/APHIS–4.

Farmers Home Administration

Credit Report File, USDA/FmHA–3.

Federal Grain Inspection Service

Investigations Undertaken by the Government Pursuant to the United States Grain Standards Act of 1976, as amended, or the Agricultural Marketing Act of 1946, as amended, USDA/FGIS–2.

Federal Crop Insurance Corporation

FCIC Compliance Review Cases, USDA/FCIC–2.

Food and Nutrition Service

Civil Rights Complaints and Investigations, USDA/FNS–1.

Claims Against Food Stamp Recipients, USDA/FNS–3.

Investigations of Fraud, Theft, or Other Unlawful Activities of Individuals Involving Food Stamps, USDA/FNS–5.

Food Safety and Inspection Service

Meat and Poultry Inspection Program—Slaughter, Processing and Allied Industries Compliance Records System, USDA/FSIS–1.

Office of the General Counsel

Regulatory Division

Cases by the Department under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the voluntary inspection and certification provisions of the Agricultural Marketing Act of 1946, USDA/OGC–6.

Cases by the Department under the Human Methods of Livestock Slaughter Law (i.e., the Act of August 27, 1958), USDA/OGC–7.

Cases by the Department under the 28 Hour Law, as amended, USDA/OGC–8.

Cases by the Department under the various Animal Quarantine and related laws, USDA/OGC–9.

Cases by the Department under the various Plant Protection Quarantine and related laws, USDA/OGC–10.

Cases by the Department under Horse Protection Act of 1970, USDA/OGC–41.

Cases by the Department under the Laboratory Animal Welfare Act, USDA/OGC–42.

Community Development Division

Community Development Division Litigation, USDA/OGC–11.

Farmers Home Administration (FmHA) General Case Files, USDA/OGC–12.

Food and Nutrition Division

Claims by and against USDA under the Food Assistance Legislation, USDA/OGC–13.

Perishable Agricultural Commodities, USDA/OGC–14.

Foreign Agriculture and Commodity Stabilization Division

Agricultural Stabilization and Conservation Service (ASCS), Foreign Agricultural Service (FAS), and Commodity Credit Corporation Cases, USDA/OGC–15.

Federal Crop Insurance Corporation (FCIC) Cases, USDA/OGC-16.

Administrative proceedings brought by the Department, court cases in which the government is plaintiff and court cases in which the government is a defendant brought pursuant to the United States Warehouse Act, USDA/OGC-43.

Marketing Division

Administrative proceedings brought by the Department pursuant to the Plant Variety Protection Act, the Federal Seed Act, or the Agricultural Marketing Act of 1946, USDA/OGC-18.

Cases brought by the Government pursuant to the Cotton Future provisions of the Internal Revenue Code of 1954, USDA/OGC-22.

Court cases brought by the Government pursuant to either the Agricultural Marketing Act of 1946 or the Tobacco Inspection Act, USDA/OGC-24.

Court cases brought by the Government pursuant to either the Agricultural Marketing Agreement Act of 1937, as amended, or the Anti-Hog-Cholera Serum and Hog Cholera Virus Act, USDA/OGC-25.

Court cases brought by the Government pursuant to either the Cotton Research and Promotion Act, Potato Research and Promotion Act, the Egg Research and Consumer Information Act, USDA/OGC-26.

Court cases brought by the Government pursuant to either the Export Apple and Pear Act or the Export Grape and Plum Act, USDA/OGC-27.

Court cases brought by the Government pursuant to either the Cotton Statistics and Estimates Act of 1927 or the United States Cotton Standards Act, USDA/OGC-28.

Court cases brought by the Government pursuant to either the Naval Stores Act, or the Tobacco Seed and Plant Exportation Act, USDA/OGC-29.

Court cases brought by the Government pursuant to either the Peanut Statistics Act or the Tobacco Statistics Act, USDA/OGC-30.

Court cases brought by the Government pursuant to either the Plant Variety Protection Act of the Egg Products Inspection Act, USDA/OGC-31.

Court cases brought by the Government pursuant to either the Produce Agency Act, or the Process of Renovated Butter Provisions of the Internal Revenue Code of 1954, USDA/OGC-32.

Court cases brought by the Government pursuant to either the United States Grain Standards Act or the Federal Seed Act, USDA/OGC-33.

Court cases brought by the Government pursuant to the Agricultural Fair Practices Act, USDA/OGC-34.

Cases by and against the Department under the Virus-Serum Toxin Act, USDA/OGC-44.

Packers and Stockyards Division

Packers and Stockyards Act, Administrative Cases, USDA/OGC-69.

Packers and Stockyards Act, Civil and Criminal Cases, USDA/OGC-70.

Research and Operations Division

Personnel Irregularities, USDA/OGC-75.

Office of Inspector General

Intelligence Records, USDA/OIG-2.

Investigative Files and Subject/Title Index, USDA/OIG-3.

Office of the Secretary

Non-Career Applicant File, USDA/SEC-1.

[40 FR 45103, Sept. 30, 1975, as amended at 41 FR 22333, June 3, 1976; 53 FR 5659, Feb. 29, 1988; 54 FR 5073, Feb. 1, 1989]

Appendix A—Internal Directives

Section 1 *General Requirements.* Each agency that maintains a system of records subject to 5 U.S.C. 552a and the regulations of this subpart shall:

(a) Maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by executive order of the President;

(b) Collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs;

(c) Inform each individual whom it asks to supply information, on the form which it uses to collect the information, or on a separate form that can be retained by the individual:

(1) the authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(2) the principal purpose or purposes for which the information is intended to be used;

(3) the routine uses which may be made of the information, as published pursuant to paragraph (d)(4) of this section; and

(4) the effects on him, if any, of not providing all or any part of the requested information;

(d) Subject to the provisions of section 2 of this Appendix, prepare for publication in the **Federal Register** at least annually a notice of the existence and character of each system it maintains, which notice shall include:

(1) The name and location(s) of the system;

(2) the categories of individuals on whom records are maintained in the system;

(3) the categories of records maintained in the system;

(4) each routine use of the records contained in the system, including the categories of uses and the purpose of such use;

(5) the policies and practices of the agency regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) the title and business address of the agency official who is responsible for the system of records;

(7) the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(8) the agency procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its content; and

(9) the categories of sources of records in the system;

(e) Maintain all records which are used by the agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination;

(f) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to 5 U.S.C. 552a(b)(2), make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for agency purposes;

(g) Maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained, or unless pertinent to and within the scope of an authorized law enforcement activity;

(h) Make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record;

(i) Establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and the requirements of this section, including any other rules and procedures adopted pursuant to this section and the penalties for noncompliance;

(j) Establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.

Sec. 2 *Amendment of routine uses for an existing system of records, or establishment of a new system of records.*

(a) Any agency which intends to add a routine use, or amend an existing one, in a system of records it maintains, shall, in accordance with 5 U.S.C. 552a(e)(11), insure that 30 days advance notice of such action is given by publication in the Federal Register and an opportunity provided for interested persons to submit written data, views or arguments to the agency.

(b) Any agency which intends to establish a new system of records, or to alter any existing system of records, shall insure that adequate advance notice is provided to Congress and the Office of Management and Budget to permit an evaluation of the probable or potential effect of such action on the privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers. Such notice is required for any new system of records and for any alteration in an existing one which will:

(1) Increase the number or types of individuals on whom records are maintained;

(2) Expand the type or amount of information maintained;

(3) Increase the number or categories of agencies or other persons who may have access to those records;

(4) Alter the manner in which the records are organized so as to change the nature or scope of those records (e.g., the combining of two or more existing systems);

(5) Modify the way the system operates at its location(s) in such a manner as to alter the procedures which individuals can exercise their rights under this Subpart; or

(6) Change the equipment configuration on which the system is operated so as to create the potential for greater access (e.g., adding a telecommunications capability).

Sec. 3 *Accounting of Certain Disclosures.* Each agency, with respect to each system of records under its control, shall:

(a) Except for disclosures made under 5 U.S.C. 552a(b) (1) and (2), keep an accurate account of:

(1) The date, nature, and purpose of each disclosure of a record to any person or agency outside the Department; and

(2) the name and address of the person or agency to whom the disclosure is made:

(b) Retain the accounting made under paragraph (a) of this section for the longer of a period of five years, after the date of the disclosure for which the accounting is made, or the life of the record disclosed;

(c) Except for disclosures made under 5 U.S.C. 552a(b)(7), make the accounting above available to the individual named in the record at his request.

Sec. 4 *Government Contractors.* When an agency within the Department provides by a contract for the operation by or on behalf of the agency of a system of records to accomplish an agency function, the agency shall, consistent with its authority, cause the requirements of this Subpart to be applied to such system. For purposes of 5 U.S.C. 552a(i) any such contractor or any employee of such contractor, if such contract is agreed to on or after September 27, 1975, shall be considered to be an employee of an agency and therefore subject to the criminal penalties set forth in that section.

Sec. 5 *Mailing Lists.* No agency within the Department shall sell or rent any individual's name and address unless such action is specifically authorized by law. This section shall not be construed to require, or to authorize, the withholding of names and addresses whose disclosure is required by 5 U.S.C. 552.

Sec. 6 *Social security account numbers.* (a) No agency shall deny, or permit any State or local government with whom it is involved in a cooperative venture to deny, to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

(b) The provisions of paragraph (a) of this section shall not apply with respect to:

(1) Any disclosure required by Federal statute; or

(2) any disclosure to any agency relating to a system of records it maintained prior to January 1, 1975, if such disclosure was required under statute or regulation adopted prior to that date, to verify the identity of an individual.

(c) Any agency in the Department which requests an individual to disclose his social security account number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of it. The agency shall also insure that this information is provided by a State or local government with whom it is involved in a cooperative agreement.

Sec. 7. *Annual report.* Each agency in the Department shall submit to the Office of the General Counsel prior to March 30 of each year (beginning March 30, 1976) a report containing the following information related to implementation of 5 U.S.C. 552a:

(a) A summary of major accomplishments;

(b) A summary of major plans for activities in the upcoming year;

(c) A list of the systems which were exempted during the year from any of the operative provisions of this subpart pursuant to 5 U.S.C. 552a (j) and (k), whether or not the exemption was effected during that year, the number of instances with respect to each system exempted in which the exemption was invoked to deny access, and the reasons for invoking the exemption;

(d) A brief summary of changes to the total inventory of personal data system subject to this Subpart including reasons for major changes; and

(e) A general description of operational experiences including estimates of the number of individuals (in relation to the total number of records in the system):

(1) Requesting information on the existence of records pertaining to them;

(2) Refusing to provide information;

(3) Requesting access to their records;

(4) Appealing initial refusals to amend records; and

(5) Seeking redress through the courts.

Sec. 8. *Effect of 5 U.S.C. 552.* No agency in the Department shall rely on any exemption in 5 U.S.C. 552 to withhold from an individual any record which is otherwise accessible to such individual under the provisions of 5 U.S.C. 552a and this Subpart.

[40 FR 44480, Sept. 26, 1975]

DEPARTMENT OF COMMERCE

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COMMERCE/DEPT-1

System name:

Attendance, Leave, and Payroll Records of Employees and Certain Other Persons—COMMERCE/DEPT-1.

System location:

For Employees of Departmental Offices, BEA Census, EDA, ITA, PTO, MBDA, NOAA, NTIA, NTIS, USTTA: Management Service Center, U.S. Department of Commerce, Caller Service No. 6025, Germantown, Maryland 20874.

Categories of individuals covered by the system:

All Commerce Department employees and certain other persons as categorized by organizational component above.

Categories of records in the system:

Name, date of birth, social security number and employee number, service computation date, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, State, and local tax deductions, as appropriate; IRS tax lien data; savings bond and charity deductions; regular and optional Government life insurance deduction(s), health insurance deduction and plan of code; cash award data; jury duty data; military leave data; pay differentials; union dues deductions; allotments, by type and amount; financial institution code and employee account number, type of account; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, absence without leave, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date of living allowances; mailing address, co-owner and/or beneficiary of bonds, marital status and number of dependents; and "Notification of Personnel Action". The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system:

Title 5 U.S.C., Title 31 U.S.C. 66a, 492, Title 44 U.S.C. 3101, 3309.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal of data to U.S. Departments of Agriculture, and Treasury, and employee.designated financial institutions to effect issuance of paycheck to employees and distributions of pay according to employee directions for savings bonds, allotments, alimony, child support, and other authorized purposes.

Reporting: Tax withholding to Internal Revenue Service and appropriate State and local taxing authorities; FICA deductions to the Social Security Administration; dues deductions to labor unions; withholdings for health and life insurance to the insurance carriers and the U.S. Office of Personnel Management; charity contribution deductions to agents of charitable institutions; annual W—2 statements to taxing authorities and the individuals; wage, employment, and separation information to state unemployment compensation agencies, to the U.S. Department of Labor to determine eligibility for unemployment compensation, and to housing authorities for low—cost housing applications; and NOAA Corps data to U.S. Office of Personnel Management for preparation of statistical materials. Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). Also, see routine use paragraphs 1—5 and 8—13 of the Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a (b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f), and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Both manual and machine-readable.

Retrievability:

By name and/or employee or social security number.

Safeguards:

Physical, technical and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only. All payroll personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal:

Retained on site until after GAO audit, then disposed of, or transferred either to Federal Records Storage Centers in accordance with the fiscal records program approval by GAO, as appropriate, or general Record Schedules of GSA.

System manager(s) and address:

Management Service Center, U.S. Department of Commerce, Caller Service No. 6025, Germantown, Maryland 20874.

Notification procedure:

For BEA records, information may be obtained from; Chief, Management and Organization Branch, BEA, Tower Building, 1401 K Street, NW., Washington, D.C. 20230; For Census records, information may be obtained from: Associate Director for Management Services, Bureau of the Census, Federal Building 3, Washington, D.C. 20233;

For EDA records, information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Washington, D.C. 20230;

For ITA record, information may be obtained from: Director, Office of Management and Systems, ITA, U.S. Department of Commerce, Washington, D.C. 20230;

For MBDA records, information may be obtained from: Privacy Officer, Office of Chief Counsel, MBDA, U.S. Department of Commerce, Washington, D.C. 20230;

For NBS and NTIS records, information may be obtained from: Deputy Director for Information Systems, Room A1105, Administration, Building, National Bureau of Standards, Gaithersburg, Maryland 20899;

For NOAA records, information may be obtained from: Director, Administrative and Technical Services, National Oceanic and Atmospheric Administration, Room 4213, Herbert C. Hoover Building, 14th and Constitution Avenue, NW, Washington, D.C. 20230;

For NTIA records, information may be obtained from: Privacy Officer, NTIA, U.S. Department of Commerce, Washington, D.C. 20230;

For PTO records, information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231;

For USTTA records, information may be obtained from: Director, Office of Administration, USTTA, U.S. Department of Commerce, Washington, D.C. 20230;

For all other records, information may be obtained from: Chief, Information Management Divsion, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230.

Requester should provide name, social security number, and time or organizational unit of employment pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address of the desired location as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address for desired location.

Record source categories:

Subject individuals, those authorized by the individual to furnish information, supervisors, timekeepers, official personnel records, and IRS.

COMMERCE/DEPT-2

System name:

Accounts Receivable—COMMERCE/DEPT-2.

System location:

a. For Departmental offices, BEA ITA, USTTA, MBDA, Office of Financial Operations and Travel Management, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

b. For NBS and NTIA: National Bureau of Standards, Office of the Comptroller, Administration Building, Gaithersburg, Maryland 20899.

c. For NOAA: Office of Budget and Finance, National Oceanic and Atmospheric Administration, Room 6811, Herbert C. Hoover Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

d. For PTO: Office of Finance, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

e. For CENSUS: Finance Division, Bureau of the Census Federal Building 3, Washington, D.C. 20233.

f. For NTIS: Accounting Division, National Technical Information Service, Springfield, Virginia 22161.

g. For EDA: Accounting Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Categories of individuals covered by the system:

Debtors owing money to organizational components identified in a. through g. including employees, former employees, business firms, general public, and institutions.

Categories of records in the system:

Name and address; amount owed, and service, overpayment or other accounting therefor, invoice number, if any.

Authority for maintenance of the system:

5 U.S.C. 5701–09; 31 U.S.C. 951–953, 4 CFR 102.4, FPMR 101–7; Treasury Fiscal Requirements Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Billing debtors, reporting delinquent debts to credit bureaus, reporting to Office of Personnel Management for liquidating debts from retirement and other benefits. Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). Also , see routine uses 1–5 and 8–13 of the Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f); and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Both manual and machine-readable records.

Retrievability:

By name, and invoice number as appropriate.

Safeguards:

Physical security, handling by authorized personnel only.

Retention and disposal:

Retained until payment is received and account is audited, then disposed of in accordance with Records Control Schedule.

System manager(s) and address:

For records at location a.: Director, Office of Financial Operations and Travel Management, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location b.: Comptroller, Office of the Comptroller, National Bureau of Standards, Administration Building, Gaithersburg, Maryland 20899.

For records at location c.: Director, Office of Budget and Finance, NOAA, Room 6811, Herbert C. Building, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location d.: Director, Office of Finance, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location e.: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location f.: Chief, Accounting Division, National Technical Information Service, Springfield, Virginia 22161.

For records at location g.: Chief, Accounting Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue NW, Washington, D.C. 20230.

Notification procedure:

For ITA records at location a., information may be obtained from Director, Office of Management and Systems, ITA, U.S. Department of Commerce, Washington, D.C. 20230;

For USTTA records at location a., information may be obtained from Director, Office of Administration, USTTA, U.S. Department of Commerce, Washington, D.C. 20230; and

For all records at location a., information may be obtained from: Chief, Information Management Division, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230.

For NBS records at location b., information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Gaithersburg, Maryland 20899.

For NTIA records at location b, information may be obtained from: Privacy Officer, NTIA, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location c., information may be obtained from: Director, Administrative and Technical Services, National Oceanic and Atmospheric Administration, Room 4213, Herbert C. Hoover Building, 14th and Constitution Avenue, NW, Washington, D.C. 20230;

For records at location d., information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231; and

For records at location e., information may be obtained from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location f., information may be obtained from: Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, Virginia 22161.

For records at location g., information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Washington, D.C. 20230.

Requester should provide name and address, and invoice number as appropriate, pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, contracting officer as appropriate, accounting records.

COMMERCE/DEPT-3

System name:

Conflict of Interest Records, Appointed Officials—COMMERCE/DEPT-3.

System location:

Office of General Counsel, Room 5897, U.S. Department of Commerce, Washington, DC 20230.

Categories of individuals covered by the system:

Individuals, past and present, appointed by the President to Commerce Department offices and other senior level officers of the Department.

Categories of records in the system:

Statement of personal and family shareholding and other interests in business enterprises; copies of blind trust and other agreements pertaining to such interests; correspondence as to insulation of control of such interests; opinions of counsel; and confirmation materials.

Authority for maintenance of the system:

5 U.S.C. 301, 18 U.S.C. 208, 28 U.S.C. 533-535, 44 U.S.C. 3101, E.O. 10450, and E.O. 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs of Prefatory Statement, except paragraphs 6, 8, and 10.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Disposed of 6 years after separation of employee.

System manager(s) and address:

Assistant General Counsel for Administration, Room 5883, U.S. Department of Commerce, Washington, DC 20230.

Notification procedure:

Information may be obtained from: Assistant General Counsel for Administration, U.S. Department of Commerce, Washington, DC 20230. Requester should provide name, and date of appointment pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

The subject individual, financial institutions involved, counsel, and those authorized by the individual to furnish information.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine suitability for employment.

COMMERCE/DEPT-4

System name:

Congressional Files—COMMERCE/DEPT-4.

System location:

a. Office of the Assistant Secretary for Congressional Affairs, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

b. Office of the Director of Congressional and Public Affairs, National Telecommunications and Information Administration, 1800 G Street, NW., Washington, D.C. 20504.

Categories of individuals covered by the system:

Members of Congress.

Categories of records in the system:

Biographical information from sources such as the Congressional Quarterly, Almanac of American Politics, Congressional Directory, biographies provided by Members' Offices, extracts from the Congressional Record, and correspondence between the Members and the Department.

Authority for maintenance of the system:

5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5, 8, 10, and 12 of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in paper form only.

Retrievability:

Indexed by name of Member or State or Congressional District.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

The records are retained in accordance with the Office's Record Control Schedule.

System manager(s) and address:

For records at location a.: Assistant Secretary for Congressional Affairs, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

For records at location b.: Director of Congressional and Public Affairs, National Telecommunications and Information Administration, U.S. Department of Commerce, 1800 G Street, NW., Washington, D.C. 20504.

Notification procedure:

For records at location a.: Information may be obtained from: Departmental Office of Organization and Management Systems, OS, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

For records at location b.: Information may be obtained from: Privacy Officer, National Telecommunications and Information Administration, U.S. Department of Commerce, 1800 G Street, NW., Washington, D.C. 20504. Requester should provide name of Member pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Published Congressional reference materials and the Member, himself or herself.

COMMERCE/DEPT-5

System name:

Freedom of Information and Privacy Request Records—COMMERCE/DEPT-5.

System location:

a. For FOIA request records of CENSUS: Planning and Security Office, Bureau of the Census, Federal Building 3, Suitland, Md. 20233.

b. For FOIA and PA request records of ITA: Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230.

c. For FOIA and PA requests for EDA Office of Public Affairs, U.S. Department of Commerce, Washington, D.C. 20230.

For FOIA request records of NOAA: Freedom of Information Request Control Desk, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Md. 20852.

e. For FOIA request records of NTIA: Freedom of Information Request Control Desk, National Telecommunications and Information Administration, 1800 G Street, NW, Washington, D.C. 20504.

f. For PA request records of the Office of the Secretary: Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system:

Individuals who have requested records under the Freedom of Information and/or Privacy Acts contained in files maintained by the organizational units shown in the System Location paragraph above.

Categories of records in the system:

Incoming requests; correspondence developed during processing of requests; initial and final determination letters; records summarizing pertinent facts about requests and action taken; copy or description of records released; description of records denied (copies of records denied are not kept with these files).

Authority for maintenance of the system:

5 U.S.C. 301, 5 U.S.C. 552, 5 U.S.C. 552a and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Department management and legal personnel to assure that each request receives an appropriate reply and to compile data for the required annual reports on activities under the Acts. General routine uses of the 1-5, 9, 12, and 13 of the Prefatory Statement also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

At all locations: Paper records in file folders or loose-leaf binders.

Retrievability:

At location b.: By control number assigned to each request based on date of receipt.

At all other locations: Alphabetically by name of requester.

Safeguards:

At all locations: Privacy Act request records are stored in file cabinets in secured premises with access limited to those whose official duties require access. Freedom of Information request records are generally available to the public.

Retention and disposal:

Records are disposed of in accordance with the appropriate records disposition authorization approved by the Archivist of the United States.

System manager(s) and address: For records at location a.: Associate Director for Administration, Bureau of the Census.

For records at location b.: Privacy Act Officer, ITA.

For records at location c.: Director, Office of Public Affairs, EDA.

For records at location d.: Assistant administrator for Management and Budget, NOAA.

For records at location e.: Director, Office of Administration, NTIA.

For records at location f.: Director, Office of Organization and Management Systems, U.S. Department of Commerce.

For each system manager, use the same address as shown for that unit in the System Location section above.

Notification procedure:

For records at locations a., b., c., d., and f.: Same individual and address for each as shown in System Manager section above.

For records at location e.: Privacy Officer, NTIA, same address as shown in System Manager section above.

Requestor should provide name and address pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

The individual making the request, and records derived from the processing of Freedom of Information and Privacy Act requests.

COMMERCE/DEPT-6

System name:

Visitor Logs and Permits for Facilities Under Department Control—COMMERCE/DEPT-6.

System location:

National Bureau of Standards: Security Office, Administration Building, Washington, D.C. 20234; and Physical Security Office, Radio Building, NBS, Boulder, Colorado 80302.

Categories of individuals covered by the system:

Non-Federal visitors, Federal personnel entering facilities after duty hours, and employees seeking parking and firearm permits.

Categories of records in the system:

Name, address, place of birth, citizenship, physical characteristics, type and number of firearms and amount of ammunition, purpose of visit, affiliation, time in and time out, license numbers, and records of violations.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5 and 8-13 of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability:

Filed alphabetically by name, or date and time.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Retained on site for five years, then disposed of in accordance with unit's Record Control Schedule.

System manager(s) and address:

Security Officer, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure:

Information may be obtained from Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Requesters should provide name and address, date of visit or type of permit, as appropriate, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, and employers.

COMMERCE/DEPT-7

System name:

Employee Accident Reports—COMMERCE/DEPT-7.

System location:

a. For employees of Departmental Offices, BEA, BIE, and USTS: Office of Administrative Services. U.S. Department of Commerce, Washington, D.C. 20230.

b. For employees of ITA: Office of Administrative Support, International Trade Administration, Washington, D.C. 20230.

c. For employees of EDA: Office Service Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

d. For employees of MBDA: Office of Planning, Budget and Evaluation, Minority Business Development Agency, Washington, D.C. 20230.

e. For employees of NBS: Occupational Health and Safety Division, Supply and Plant Building, NBS, Washington, D.C. 20234.

f. For employees of NOAA: Office of Administrative Operations, National Oceanic and Atmospheric Administration, 6010 Executive Blvd., Rockville, Md. 20852.

g. For employees of NTIS: Facilities Management Division, National Technical Information Service, Springfield. Va. 22161.

h. For employees of PAT-TM: Office of General Services, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

i. For employees of CENSUS: Administrative Service Division, Bureau of the Census, Building 4, Washington, D.C. 20233.

j. For employees of NTIA: Office of Administration, National Telecommunications and Information Administration, 1800 G Street, NW., Washington, D.C. 20504.

Categories of individuals covered by the system:

All Department employees as categorized by organization component in a through j above, who have sustained occupational injury/illness or who have been involved in a motor vehicle accident while on official Government business.

Categories of records in the system:

Name; address; home telephone number; date and place of birth; sex; social security number; occupation; grade; location and description of accident or injury; driving permit or license data; physical condition at time of incident; insurance information; vehicle ownership and licensing data.

Authority for maintenance of the system:

29 U.S.C. 651-78, 28 U.S.C 2671-2680, Executive Order 12196.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement. Also, accident reports involving Government vehicles are disclosed to the General Services Administration, the custodian of Government vehicles; accident information may also be disclosed to insurance carriers during resolution of claims.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal:

Disposed after 5 years.

System manager(s) and address:

For records at location a: Coordinator for Occupational Safety and Health and Motor Management, Departmental Office of Administrative Services, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location b.: Director, Office of Administrative Support, International Trade Administration, Washington, D.C. 20230.

For records at location c.: Chief, Office Service Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

d. For records at location: Assistant Director, Office of Planning, Budget, and Evaluation, Minority Business Development Agency, Washington, D.C. 20230.

e. For records at location: Safety and Health Manager, Supply and Plant Building, NBS, Washington, D.C. 20234.

f. For records at location: Safety Engineer, Office of Administrative Operations, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

g. For records at location: Chief, Facilities Management Division, National Technical Information Service, Springfield, Va. 22161.

h. For records at location: Director, Office of General Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

i. For records at location: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

j. For records at location: Safety Officer, Office of Administration, National Telecommunications and Information Administration, 1800 G Street, NW., U.S. Department of Commerce, Washington, D.C. 20504.

Notification procedure:

For Departmental office records at location a., information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington D.C. 20230;

For BEA records at location a., information may be obtained from: Chief, Management and Organization Branch of Administration, BEA, Tower Building, 1401 K Street, NW., Washington D.C. 20230;

For BIE records at location a., information may be obtained from: Administrative Officer, BIE Room 4845, 14th & Constitution Avenue, NW., Washington D.C. 20230;

For USTS records at location a., information may be obtain from: Director, Office of Administration, United States Travel Service, Washington D.C. 20230.

For records at location b., information may be obtain from: Privacy Act Officer, Office of Management and Systems, International Trade Administration, Room 3102, U.S. Department of Commerce, Washington D.C. 20230;

For records at location c., information may be obtain from: Director, Office of Public Affairs, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington D.C. 20230.

For records at location d., information may be obtain from: Privacy Officer, Office of Chief Counsel, Minority Business Development Agency, Washington D.C. 20230;

For records at location e., information may be obtain from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington D.C. 20234;

For records at location f., information may be obtain from: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, Rockville, Md. 20852;

For records at location g., information may be obtain from: Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, VA 22161;

For records at location h., information may be obtain from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington D.C. 20231;

For records at location i., information may be obtain from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington D.C. 20233;

For records at location j., information may be obtain from: Privacy Officer, National Telecommunications and Information Administration, 1800 G Street, NW., U.S. Department of Commerce, Washington D.C. 20504.

Requester should provide name and approximate date of accident pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address of the desired location as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address for desired location.

Record source categories:

Subject individual, those authorized by the individual to furnish information; others involved in accident; witnesses; employee's supervisor; and, the safety officer.

COMMERCE/DEPT-8

System name:

Employee Applications for Motor Vehicle Operator's Card—COMMERCE/DEPT-8.

System location: a. For employees of Departmental offices, BEA, BIE, MBDA, NTIA, offices of Federal Cochairmen, and USTS: Office of Administrative Services, U.S. Department of Commerce, Washington, D.C. 20230

b. For employees of ITA: Office of Administrative Support, International Trade Administration, Washington, D.C. 20230.

c. For employees of EDA: Office Service Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

d. For employees of NBS and NTIS: Occupational Health and Safety Division, Supply and Plant Building, Washington, D.C. 20234; and Staff Services Office, Radio Building, NBS, Boulder, Colorado 80302.

e. For employees of NOAA: Office of Administrative Operations, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

f. For employees of PAT-TM: Office of General Services, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

g. For employees of CENSUS: Administrative Service Division, Bureau of the Census, Federal Building 4, Washington, D.C. 20233; and the following Census Regional Offices: 1365 Peachtree Street, NE., Atlanta, Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 South Tryon Street, Charlotte, North Carolina 28202; 55 East Jackson Boulevard, Chicago, Illinois 60604; 1100 Commerce Street, Dallas, Texas 75242; 575 Union Boulevard (P.O. Box 25207), Denver, Colorado 80225; 231 W. Lafayette, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 11777 San Vicente Boulevard, Los Angeles, California 90049; 26 Federal Plaza, New York City, New York 10278, 600 Arch Street, Philadelphia, Pennsylvania 19106; and 1700 Westlake Avenue, Seattle, Washington 98109.

Categories of individuals covered by the system: All Department employees as categorized by organizational components in a through g above, who are seeking or holding a Federal vehicle operator permit.

Categories of records in the system: Name; position title; date and place of birth; physical characteristics; social security number, summary of driving record, including all arrests, traffic citations and accidents for the past five years; hearing and visual acuity examination report; road test results; and medical history.

Authority for maintenance of the system: 40 U.S.C. 471; E.O. 9397.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1-6 and 9-13 in the Prefatory Statement. Also, information is transmitted to the Department of Transportation with request for suitability check.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Disposed of when re-issued at the end of three years or upon employee's termination of employment.

System manager(s) and address: For records at location a.: Coordinator for Occupational Safety and Health and Motor Management, Departmental Office of Administrative Services, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location b.: Director, Office of Administrative Support, International Trade Administration, Washington, D.C. 20230.

For records at location c.: Chief, Office Service Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location d.: Safety and Health Manager, Supply and Plant Building, National Bureau of Standards, Washington, D.C. 20234; and Safety Engineer, Radio Building, NBS, Boulder, Colorado 80302.

For records at location e.: Motor Fleet Manager, Office of Administrative Operations, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

For records at location f.: Director, Office of General Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location g.: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Notification procedure:

For BEA records at location a., information may be obtained from: Chief, Management and Organization Branch BEA, Tower Building, 1401 K Street, NW, Washington, D.C. 20230;

For BIE records at location a., information may be obtained from: Administrative Officer, BIE, Room 4845, 14th & Constitution Avenue, NW, Washington, D.C. 20230;

For MBDA records at location a., information may be obtained from: Privacy Officer, Office of Chief Counsel MBDA, U.S. Department of Commerce, Washington, D.C. 20230;

For NTIA records at location a., information may be obtained from: Privacy Officer, NTIA, U.S. Department of Commerce, Washington, D.C. 20504;

For USTS records at location a., information may be obtained from: Director, Office of Administration, USTS, U.S. Department of Commerce, Washington, D.C. 20230; and

For all other records at location a., information may be obtained from: Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location b., information may be obtained from: Privacy Act Officer, Office of Management and Systems, International Trade Administration, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location c., information may be obtained from: Director, Office of Public Affairs, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location d., information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

For records at location e., information may be obtained from: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

For records at location f., information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location g., information may be obtained from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Requester should provide name, organizational unit, and approximate date of employment pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address of the desired location as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, motor vehicle departments in individual's state, and National Driver Register of the Department of Transportation.

COMMERCE/DEPT-9

System name:

Travel Records (Domestic and Foreign) of Employees and Certain Other Persons—COMMERCE/DEPT-9.

System location:

a. For employees of Departmental Offices, BEA, Census (for travel paid on or after July 1, 1982), EDA, ITA, MBDA, NBS, NOAA (except employees of NOAA regional offices listed in c. below), NTIA, NTIS, PTO, USTTA, members of DOC Advisory Committees; and private citizens invited to visit the Department: Management Service Center, U.S. Department of Commerce, Caller Service No. 6025, Germantown, Maryland 20874.

b. For employees of CENSUS (for travel paid prior to July 1, 1982); Finance Division, Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and the following Regional Offices for intermittent CENSUS employees: 1365 Peachtree Streeet, NE, Atlanta, Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 South Tryon Street, Charlotte, North Carolina 28202; 55 East Jackson Boulevard, Chicago, Illinois 60604; 1100 Commerce Street, Dallas, Texas 75242; 7655 W. Mississippi Avenue (P.O. Box 26750), Denver, Colorado 80226; 231 W. Lafayette, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 11777 San Vicente Boulevard, Los Angeles, California 90049; 26 Federal Plaza, New York City, New York 10278; 600 Arch Street, Philadelphia, Pennsylvania 19106; and 1700 Westlake Avenue, Seattle, Washington 98109.

For employees of NOAA regional offices: DOC/NOAA/EASC, RAS/EC5, 235 Monticello Avenue, Norfolk, Virginia 23510; DOC/NOAA/MASC, RAS/MC7 Room 5524, 325 Broadway, Boulder, Colorado 80303; DOC/NOAA/WASC, RAS/WC5, Operations Building, 7600 Sand Point Way, NE, Seattle, Washington 98115; and DOC/NOAA/CASC, RAS/CC5, Federal Building, Room 1758, 601 E. 12th Street, Kansas City, Missouri 64106.

Categories of individuals covered by the system:

Employees, Advisory Committee Members, and official guests of the Department.

Categories of records in the system:

Name, address, social security number, destination, itinerary, mode and purpose of travel; dates; expenses including amounts advanced (if any), amounts claimed, and amounts reimbursed; travel orders, travel vouchers, receipts, and passport record card.

Authority for maintenance of the system:

Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; and Federal Claim Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal to U.S. Treasury for payment, to State Department for passports. Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). Also, see paragraphs 1-5 and 9-13 of the Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in their Fair Credit Reporting Act (15 U.S.C. 1681a(f)), and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine-readable.

Retrievability:

Filed by name, social security number, or travel order number.

Safeguards:

Records are located in lockable metal file cabinets or in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Retained according to GSA Federal Travel Regulations, and then disposed of according to unit's Records Control Schedule.

System manager(s) and address:

For records at location a., Director, Management Service Center, U.S. Department of Commerce, Caller Service No. 6025, Germantown, Maryland 20874.

For records at location b., Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and the Director of the particular Regional Office listed above.

Notification procedure:

For BEA records at location a., information may be obtained from: Chief, Management and Organization Branch, BEA Tower Building, 1401 K Street, NW, Washington, D.C. 20230;

For Census records at location a. and b., information may be obtained from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233;

For EDA records at location a., information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230;

For ITA records at location a., information may be obtained from: Director, Office of Management and Systems, ITA, U.S. Department of Commerce, Washington, D.C. 20230;

For MBDA records at location a., information may be obtained from: Privacy Officer, Office of Chief Counsel, MBDA, U.S. Department of Commerce, Washington, D.C. 20230;

For NBS records at location a., information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

For NOAA records at locations a. and c., information may be obtained from: Director, Administrative and Technical Services, National Oceanic and Atmospheric Administration, Room 4213, Herbert C. Hoover Building, 14th and Constitution Avenue, NW, Washington, D.C. 20230;

For NTIA records at location a., information may be obtained from: Privacy Officer NTIA, U.S. Department of Commerce, Washington, D.C. 20504.

For PTO records at location a., information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For USTTA records at location a., information may be obtained from: Director, Office of Administration, USTTA, U.S. Department of Commerce, Washington, D.C. 20230; and

For all other records at location a., information may be obtained from: Chief, Information Management Division, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230.

Requester should provide name, travel order number, if known, and date of travel, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests should be address to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, supervisors, and finance (or accounting) office standard references.

COMMERCE/DEPT-10

System name:

Executive Correspondence Files—COMMERCE/DEPT-10.

System location:

a. For Office of the Secretary correspondence: Executive Secretariat and Office of Information Management (Computer Services Division); U.S. Department of Commerce; 14th & Constitution Avenue, NW., Washington, DC 20230.

b. For EDA correspondence: Executive Secretariat, EDA, Room 7227, 14th and Constitution Avenue, NW., Washington, DC 20230.

c. For MBDA correspondence: MBDA Secretariat, Room 5083, 14th and Constitution Avenue, NW., Washington, DC 20230.

d. For NOAA correspondence: Executive Secretariat, Office of the Administrator, NOAA, Room 5807, 14th and Constitution Avenue, NW., Washington, DC 20230. Records on magnetic tape are also temporarily located at the contractor's installation: Dialcom Inc., 1104 Spring Street, Silver Spring, MD. 20910.

e. For PTO correspondence: Office of the Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system:

(a) Individuals who correspond with the Secretary of Commerce, and the Deputy Secretary, and individuals whose correspondence has been referred by the White House, other Executive agencies or Members of Congress to the Secretary or Deputy Secretary for response.

(b) Individuals who correspond with top level officials in EDA, MBDA, NOAA, and PTO. In these categories the individuals include only those who express views or seek information or assistance. Freedom of Information Act or Privacy Act requests are not indexed in this system (See Freedom of Information and Privacy Request Records—COMMERCE/DEPT-5).

Categories of records in the system:

The system may include the name and address or correspondent, summary of subject matter, original correspondence, official response, referral letters, memoranda or notes concerning the subject of the correspondence, or copies of any enclosures. The records in the system are arranged numerically by control number assigned to each item of correspondence. I07Authority for maintenance of the system:

5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used by personnel in the Office of the Secretary, Executive Secretariat, and administrative offices of each operating unit of the Department to assure that each request receives an appropriate and timely reply and to prepare statistical reports for management on correspondence volume or topics of public interest. Information from or copies of the records may be provided to the original addresses of the original correspondence. General routine uses of the Prefatory Statement also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in paper form and on diskettes and magnetic tape.

Retrievability:

By agency responsibility, by control number, by correspondent's name, by subject, by addressee, by category of writer (e.g., Member of Congress, White House staff, Cabinet member, mayor, citizen) by category of correspondence, by Executive Secretariat analysts' identification code, by type of priority for response time, by date, or possibly by city and state of correspondent's address.

Safeguards:

Paper records, disk, and magnetic tape as stored in file cabinets on secured premises with access limited to personnel whose official duties require access.

Retention and disposal:

Records are disposed of in accord with the appropriate records disposition schedule approved by the Archivist of the United States.

System manager(s) and address:

For records at location a.: Director, Executive Secretariat, Office of the Secretary, U.S. Department of Commerce, Washington, DC 20230. for records at location b.: Chief, Executive Secretariat, EDA, Room 7227, 14th and Constitution Avenue NW., Washington, DC.

For records at location c.: Chief, MBDA Secretariat, Room 5083, 14th and Constitution Avenue NW., Washington, DC 20230. For records at location d.: Director, Executive Secretariat, Office of the Administrator, National Oceanic and Atmospheric Administration, Washington, DC 20230. For records at location e.: Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Notification procedure:

For records at location a., information may be obtained from the Director, Office of Management and Organization, U.S. Department of Commerce, Washington, DC 20230. For records at location b., information may be obtained from the Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Washington, DC 20230.

For records at location c., information may be obtained from the Privacy Officer, Office of Chief Counsel, MBDA, U.S. Department of Commerce, Washington, DC 20230.

For records at location d., information may be obtained from the Assistant Administrator for Management and Budget, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. For records at location e., information may be obtained from the Solicitor, U.S. Patent and Trademark Office, Washington, DC 20231.

All requests for information should provide the correspondent's name as included in original correspondence, or provide any items listed under the retrievability section above pursuant to the inquiry provisions of the Department's rules that appear in 15 CFR Part 4b.

Record access procedures:

Request for access and disclosures should be addressed to the same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and for appealing initial determination by the individual concerned appear in 15 CFR Part 4b. Requests for correction should be addressed to manager as shown above.

Record source categories:

The correspondent, referral source, Department employees involved in processing the correspondence, and other individuals, as required to prepare an appropriate response.

COMMERCE/DEPT-11

System name: Candidates for Membership, Members, and Former Members of Department of Commerce Advisory Committees.

System location: Office of the Secretary, Room 5716, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals recommended for membership on advisory committees, current members and former members of advisory committees.

Categories of records in the system: Resume information: Name, home address, business address, educational and employment histories, awards and honors received, age, date of birth, and other biographical information; records of appointment, expiration of the appointment, and correspondence including letters of recommendation.

Authority for maintenance of the system: 5 U.S.C. 301, Pub.L. 92-463.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine uses 1, 2, 3, 5, and 9 of the Prefatory statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper hard copy, diskettes for use on word processing equipment.

Retrievability: Data is filed by committee. An alphabetical card file index of candidates, members, and former members' names is used to retrieve data. This index is also on diskette to retrieve information on word processing equipment.

Safeguards: Records are located in a locked office. Paper records and diskettes are in locked file cabinets. Access to data on the word processor is by password.

Retention and disposal: Records will be maintained indefinitely.

System manager(s) and address: Confidential Assistant, Office of the Secretary, Room 5716, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Organization and Management Systems, O/S, U.S Department of Commerce, Washington, D.C. 20230. Requestor should provide name and address, pursuant to the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: The address listed in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual appear in 15 CFR Part 4b. Use the address given in the notification section above.

Record source categories:

Individual candidate or member, persons recommending candidates and those authorized by the individual to provide information.

COMMERCE/DEPT-12

System name:

Investigative and Inspection Records—COMMERCE/DEPT-12.

System location:

Office of Inspector General, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Categories of individuals covered by the system:

a. Current and former employees of the Department of Commerce and such other persons whose association with the Department relates to the alleged violations of the Department's rules of conduct, the Civil Service merit system, or any other criminal or civil misconduct, which affects the integrity or facilities of the Department of Commerce. The names of individuals and the files in their names may be: (1) Received by referral; or (2) initiated at the discretion of the Inspector General in the conduct of assigned duties.

b. Individuals who are: Witnesses; complainants; confidential or nonconfidential informants; suspects; defendants, parties who have been identified by the Office of the Inspector General or by other agencies, constituent units of the Department of Commerce and members of the general public in connection with the authorized functions of the Inspector General.

c. Current and former Commerce officials who are the subject of investigations initiated and conducted by the Office of the Inspector General.

Categories of records in the system:

Letters, memoranda, and other documents citing complaints of alleged criminal or administrative misconduct. Investigative files which include: Reports of investigations to resolve allegations of misconduct or violations of law with related exhibits, statements, affidavits or records obtained during investigations; prior criminal or noncriminal records of individuals as they relate to the investigations; reports of actions taken by management personnel regarding misconduct; and reports from or to other law enforcement bodies.

Authority for maintenance of the system:

Inspector General Act of 1978 (Pub. L. 95-462); Executive Orders 12065 and 10450; 44 U.S.C. 3101; 28 U.S.C. 535; 18 U.S.C. including Sections 201, 202, 205, 207, 208, 209, 210, 211, 219, 285, 287, 508, 595, 600, 602, 603, 604, 607, 608, 641, 643, 653, 654, 798, 1001, 1719, 1905, 1913, 1917, 1918, 2071, 2073; 5 U.S.C. including Sections 301, 2302, 7311, 7324, 7352; 15 U.S.C. 1512; 31 U.S.C. 638(a)(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine use for law enforcement purposes will include disclosure to the appropriate agency, whether Federal, State, local, foreign, or international, charged with the responsibility for investigating or prosecuting a violation of any law, rule, regulation or order. Routine use for law enforcement purposes will also include disclosure to individuals or to agencies, whether Federal, State, local, foreign or international, when necessary to further the ends of an investigation. Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). See routine use paragraphs 1-5 and 8-13 in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and automated storage media.

Retrievability:

Indices are alphabetical, cross referenced to file number.

Safeguards:

Locked cabinets in secured rooms or in guarded building, and used only by authorized screened personnel.

Retention and disposal:

When cases are closed records are disposed of in accordance with the unit's Records Control Schedule.

System manager(s) and address:

Counsel to the Inspector General, Office of Inspector General, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: Counsel to the Inspector General, Office of the Inspector General, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name and association with the Department, if any, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification selection above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals: Office of Personnel Management, FBI and other Federal, State, local, foreign and international agencies; individuals and organizations that have pertinent knowledge about the subject; and those authorized by the individual to furnish information.

Systems exempted from certain provisions of the act:

Under 5 U.S.C. 552a(j)(2), the head of any agency may exempt any system of records within the agency from certain provisions of the Privacy Act of 1974, if the agency or component that maintains the system performs as its principal function any activities pertaining to the enforcement of criminal laws. The Inspector General Act of 1978, Pub. L. 95-462, mandates the Inspector General to recommend policies for, and to conduct, supervise and coordinate activities in the Department and between the Department and other Federal, State and local government agencies with respect to all matters relating to the prevention and detection of fraud in programs and operations administered or financed by the Department, and to the identification and prosecution of participants in such fraud. Under the Act, whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law, the Inspector General must report the matter expeditiously to the Attorney General. In addition to these principal functions pertaining to the enforcement of criminal laws, the Inspector General may receive and investigate complaints on information from various sources concerning the possible existence of activities constituting violations of law, rules or regulations, or mismanagement, gross waste of funds, abuses of authority or substantial and specific danger to the public health and safety. The provisions of the Privacy Act of 1974 from which exemptions are claimed under 5 U.S.C. 552a(j)(2) are as follows: 5 U.S.C. 552a(c) (3) and (4); 5 U.S.C. 552a(d); 5 U.S.C. 552a(e) (1), (2) and (3); 5 U.S.C. 552a(e)(4) (G), (H), and (I); 5 U.S.C. 552a(e) (5) and (8); 5 U.S.C. 552a(f); 5 U.S.C. 552a(g).

To the extent that the exemption under 5 U.S.C. 552a(j)(2) is held to be invalid, then the exemptions under 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5) are claimed for all material which meets the criteria of these three subsections.

Provisions of the Privacy Act of 1974 from which exemptions are claimed under 5 U.S.C. 552a (k)(1), (k)(2) and (k)(5) are as follows: 5 U.S.C. 552a(c)(3); 5 U.S.C. 552a(d); 5 U.S.C. 552a(e)(1); 5 U.S.C. 552a(e)(4) (G), (H), and (I); 5 U.S.C. 552a(f).

Reasons for exemptions: In general, the exemption of this information and material is necessary in order to accomplish the law enforcement function of the Office of Inspector General, to prevent disclosure of classified information as required by Executive Order 12065, to prevent subjects of investigations from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel. Detailed reasons follow: Reasons for exemptions under 5 U.S.C. 552a (j)(2) and (k)(2);

(1) 5 U.S.C. 552a(C)(3) requires that upon request, an agency must give an individual named in a record an accounting which reflects the disclosure of the record to other persons or agencies. This accounting must state the date, nature and purpose of each disclosure of the record and the name and address of the recipient. The application of this provision would alert subjects of an investigation to the existence of the investigation and that such persons are subjects of that investigation. Since release of such information to subjects of an investigation would provide the subjects with significant information concerning the nature of the investigation, it could result in the alerting or destruction of documentary evidence, improper influencing of witnesses, and other activities that could impede or compromise the investigation.

(2) 5 U.S.C. 552a (c)(4), (d), (e)(4) (G) and (H), (f) and (g) relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; the agency procedures relating to access to records and the contest of information contained in such records; and the civil remedies available to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in records systems. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual, or to grant access to an investigative file could interfere with investigative and enforcement proceedings, deprive co-defendants of a right to a fair trial or other impartial adjudication, constitute an unwarranted invasion of personal privacy of others, disclose the identity or confidential sources, reveal confidential information supplied by these sources and disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear or reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct investigations, and to identify, detect, and apprehend violators.

(4) 5 U.S.C. 552a(e)(I) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. An exemption from the foregoing is needed:

a. Because it is not possible to detect relevance or necessity of specific information in the early stages of a criminal or other investigation.

b. Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

c. In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity, and provide leads for those law enforcement agencies charged with enforcing other segments of criminal or civil law.

d. In interviewing persons, or obtaining other forms of evidence during an investigation, information may be supplied to the investigator which related to matters incidental to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information cannot readily be segregated.

(5) 5 U.S.C. 552(e)(2) requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privilege under Federal programs. The application of the provision would impair investigations of illegal acts, violations of the rules of conduct, merit system and any other misconduct of the following reasons:

a. In certain instances the subject of an investigation cannot be required to supply information to investigators. In those instances, information relating to a subject's illegal acts, violations of rules of conduct, or any other misconduct, etc., must be obtained from other sources.

b. Most information colected about an individual under investigation is obtained from third parties such as witnesses and informers. It is not feasible to rely upon the subject of the investigation as a source for information regarding his activities.

c. The subject of an investigation will be alerted to the existence of an investigation if any attempt is made to obtain information from subject. This could afford the individual the opportunity to conceal any criminal activities to avoid apprehension.

d. In any investigation, it is necessary to obtain evidence from a variety of sources other than the subject of the investigation in order to verify the evidence necessary for successful litigation.

(6) 5 U.S.C. 552(a)(e)(3) requires that an agency must inform the subject of an investigation who is asked to supply information of:

a. The authority under which the information is sought and whether disclosure of the information is mandatory or voluntary,

b. The purposes for which the information is intended to be used,

c. The routine uses which may be made of the information, and

d. The effects on the subject, if any, of not providing the requested information. The reasons for exempting this system of records from the foregoing provision are as follows:

(i) The disclosure to the subject of the investigation as stated in (b) above would provide the subject with substantial information relating to the nature of the investigation and could impede or compromise the investigation.

(ii) If the subject were informed of the information required by this provision, it could seriously interfere with undercover activities requiring disclosure of undercover agents' identity and impairing their safety, as well as imparing the successful conclusion of the investigation.

(iii) Individuals may be contracted during preliminary information-gathering in investigations before any individual is identified as the subject of an investigation. Informing the individual of the matters required by this provision would hinder or adversely affect any present or subsequent investigations.

(7) 5 U.S.C. 552a(e)(5) requires that records be maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in making any determination about an individual. Since the law defines "maintain" to include the collection of information complying with this provision would prevent the collection of any data not shown to be accurate, relevant, timely, and complete at the moment of its collection. In gathering information during the course of an investigation it is not possible to determine this prior to collection of the information. Facts are first gathered and then placed into a logical order which objectively proves or disproves criminal behavior on the part of the suspect. Material which may seem unrelated, irrelevant, incomplete, untimely, etc., may take on added meaning as an investigation progresses. The restrictions in this provision could interfere with the preparation of a complete investigative report.

(8) 5 U.S.C. 552a(e)(8) requires an agency to make reasonable efforts to serve notice on an individual when any record of such individual is made available to any persons; under compulsory legal process when such process becomes a matter of public record. The notice requirements of this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

Reasons for exemptions under 5 U.S.C. 552a(k)(1):

(1) 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the record at their request. These accountings must state the date, nature and purpose of each disclosure of the record and the name and address of the recipient. The application of this provision would alert subjects of an investigation to the existence of the investigation, and that such persons are subjects of that investigation, information which if known might cause damage to national security.

(2) 5 U.S.C. 552a (d), (e)(4) (G) and (H), and (f) relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; and the agency procedures relating to access to records, and the contest of information contained in such records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigations undertaken in connection with national security; or could disclose the identity of sources kept secret to protect national security or reveal confidential information supplied by these sources.

(3) 5 U.S.C. 552a(3)(4)(I) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose the identity of sources kept secret to protect national security.

(4) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. An exemption from the foregoing is needed :

a. Because it is not possible to detect relevance or necessity of specific information in the early stages of an investigation involving national security matters.

b. Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

c. In any investigation the Inspector General may obtain information concerning the violators of laws other than those within the scope of his jurisdiction. In the interests of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity, and provide leads for those law enforcement agencies charged with enforcing other segments of criminal or civil law.

d. In interviewing persons, or obtaining forms of evidence during an investigation, information may be supplied to the investigator which relate to matters incidental to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information cannot readily be segregated.

Reasons for exemptions under 5 U.S.C. 552a(k)(5):

(1) 5 U.S.C. 552a (c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request. These accountings must stated the date, nature and purpose of each disclosure of the record and the name and address of the recipient. The application of this provision would alert subjects of an investigation to the existence of the investigation and that such persons are subjects of that investigation. Since release of such information to subjects of an investigation would provide the subject with significant information concerning the nature of the investigation, it could result in the altering or destruction of documentary evidence, improper influencing of witnesses, and other activities that could impede or compromise the investigation.

(2) 5 U.S.C. 552a(d), (e)(4)(G) and (H), and (f) relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; and the agency procedures relating to access to records and the contest of information contained in such records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigative and enforcement proceedings; co-defendants of a right to a fair trial; constitute an unwarranted invasion of personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by these sources; and disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct investigations, and to make fair and objective decisions on questions of suitability for Federal employment and related issues.

(4) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. An exemption from the foregoing is needed:

a. Because it is not possible to detect relevance or necessity of specific information in the early stages of an investigation.

b. Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after that information is evaluated that the relevance and necessity of such information can be established.

c. In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity, and provide leads for those law enforcement agencies charged with enforcing other segments of criminal or civil law.

d. In interviewing persons, or obtaining other forms of evidence during an investigation, information may be supplied to the investigator which relate to matters incidental to the main purpose of the investigation but which may relate to matters under investigative jurisdiction of another agency. Such information cannot readily be segregated.

COMMERCE/DEPT-13

System name:

Investigative and Security Records—COMMERCE/DEPT-13.

System location:

Departmental Office of Security, OS, Herbert C. Hoover Building, Washington, D.C. 20230.

Categories of individuals covered by the system:

Nominees, members, and former members of public advisory committees, trade missions and export councils; employees, former employees, and prospective employees; research associates; and guest workers. Employees of contractors used, or which may be used, by the Department on national security classified projects. Principal officers of some contractors used, or which may be used by the Department, principal officers and some employees of organizations, firms, or institutions which were recipients or beneficiaries, or prospective recipients or beneficiaries, of grants, loans, or loan guarantee programs of the Department prior to May 9, 1980.

Categories of records in the system:

Name; address; date and place of birth; Social Security Number; citizenship; physical characteristics; employment and military service history; credit references and credit records; education; medical history; arrest records; Federal employee relatives; dates and purpose of visits to foreign countries; passport numbers; names of spouses, relatives, references, and personal associates; activities; and security; and suitability materials. This system does not include records of EEO investigations. Such records are covered in a government-wide system noticed by the Office of Personnel Management and now the responsibility of the Equal Employment Opportunity Commission. For assistance contact the Privacy Officer for the Office of the Secretary.

Authority for maintenance of the system:

Executive Orders 10450, 11478, 12065, 5 U.S.C. 301 and 7531-332; 15 U.S.C. 1501 et. seq.; 28 U.S.C. 533-535; 44 U.S.C. 3101; and Equal Employment Act of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information concerning nominees, members and former members of public advisory committees may be disclosed: (a) To OMB in connection with its committee management responsibilities; (b) to other Federal agencies which have joint responsibility for advisory committees or which receive or utilize advice of the committees; and (c) to a Federal, state or local agency, private organization or individual as necessary to obtain information in connection with a decision concerning appointment or reappointment of an individual to committee membership.

Information concerning (1) nominees, members, and former members of trade missions and export councils; (2) current employees, former employees, and prospective employees; (3) research associates; (4) guest workers; (5) employees of contractors used, or which may be used, by the Department on national security classified projects; (6) principal officers of some contractors used, or which may be used, by the Department; and (7) principal officers and some employees of organizations, firms or institutions which are recipients or beneficiaries or prospective recipients or beneficiaries of grants, loans, guarantee or other assistance programs of the Department;—may be disclosed to a private organization or individual as necessary to obtain information in connection with a decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). See routine use paragraphs in Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Locked cabinets in secure rooms in guarded buildings, and used only by authorized screened personnel.

Retention and disposal:

When cases are closed, records are disposed of in accordance with the unit's Records Control Schedule.

System manager(s) and address:

Director, Office of Security, OS, Herbert C. Hoover Building, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: Chief, Information Management Division, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name and association with the Department, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals; OPM, FBI and other Federal, state and local agencies; individuals and organizations that have pertinent knowledge about the subject; and, those authorized by the individual to furnish information.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(1), (k)(2) and (k)(5), all information and material in the record which meets the criteria of these subsections are exempted from the notice, access, and contest requirements under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) of the agency regulations because of the necessity to exempt this information and material in order to accomplish the law enforcement function of the agency, to prevent disclosure of classified information as required by Executive Order 12065, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of information, and to avoid endangering these sources and law enforcement personnel.

COMMERCE/DEPT-14

System name:

Litigation, Claims, and Administrative Proceeding Records—COMMERCE/DEPT-14.

System location:

a. For matters involving CENSUS: Office of the Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233. Some records may be duplicated in the offices of Census Bureau division chiefs. A complete address list of division chiefs is available upon request from the individual designated in the Notification section below.

b. For matters involving ITA tort and personal property claims: Office of Administrative Support, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

c. For matters involving EDA: Office of Chief Counsel, EDA, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

d. For matters involving NBS other than personal property loss claims and violations of traffic and grounds regulation: National Bureau of Standards, Office, of the Legal Adviser, Administration Building, Washington, D.C. 20234. For matters involving personal property loss claims, Office Management Division, National Bureau of Standards Supply and Plant Building, Washington, D.C. 20234. For matters involving violations of traffic and grounds regulations at Gaithersburg, Maryland, Security Office, Administration Building, Washington, D.C. 20234 and for violations of those regulations at Boulder or Fort Collins, Colorado, Physical Security Office, NBS, Radio Building, Boulder Colorado, 80302.

e. For matters including NOAA—see location i.

f. For matters involving NTIS: Office of the Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, Va. 22161.

g. For matters involving NTIA: Office of the Chief Counsel, National Telecommunications and Information Administration, 1800 G Street, NW, Washington, D.C. 20504; or Office of Administration, National Telecommunications and Information Administration, 1800 G Street, NW, Washington, D.C. 20504.

h. For matters involving PAT-TM: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington Virginia 22202.

i. For all other matters: Office of the General Counsel, U.S. Department of Commerce, 14th and Constitution Avenue, NW Washington, D.C. 20230. Some of the records at location a through h may be duplicated at location i. Also, the records at locations a through h may be duplicated in part or in whole in other Department of Commerce systems of records, or in Government-wide systems, at other locations. For assistance in this regard, information may be obtained from the individual identified in the appropriate Notification procedure section below.

Categories of individuals covered by the system: Individuals the subject of any litigation in which the Department is involved; individuals who make administrative claims or appeals against the Department; individuals the subject of claims and administrative actions brought by the Department. Individuals cited for violation of traffic and grounds regulations. Individuals who may have provided statements or other evidence with respect to any of the above. "Department" means the U.S. Department of Commerce or any component thereof , or any officer or employee thereof.

Categories of records in the system: Names, addresses, social security account numbers, statements of claims and analyses thereof, investigatory reports, opinions of law, and pleadings, motions, depositions, rulings, opinions, citation particulars (description of vehicle, date of birth, physical characteristics, driving permit or license data, vehicle license data, etc.), and other litigation and claims documentation.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. Section 31101; 42 U.S.C. 3211; 31 U.S.C. 240; 28 U.S.C. 533-535 and 1346(b); 15 U.S.C. 277 and 278e(b); E.O. 10450; and all other authorities of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Records are disposed of according to unit's Record Control Schedule.

System manager(s) and address:

For records at location a.: Associate Director for Administration Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location b.: Director, Officer of Administrative Support, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location c.: Chief Counsel, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location d.: For matters involving NBS other than personal property loss claims and violations of traffic and grounds regulations: Legal Adviser, National Bureau of Standards, Washington, D.C. 20234. For matters involving violations of traffic and grounds regulations; Chief, Facilities Services Division, National Bureau of Standards, Supply and Plant Building, Washington, D.C. 20234. For matters involving personal property loss claims: Staff Officer, Office Management Division, National Bureau of Standards Washington. D.C. 20234.

For records at location f.: Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, Va. 22161.

For records at location g.: Chief Counsel and Director of Administration (for their respective portions), National Telecommunications and Information Administration, U.S. Department of Commerce, 1800 G Street, NW, Washington, D.C. 20504.

For records at location h.: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location e, f and i.: General Counsel, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

For records at location a.: Information may be obtained from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location b., information may be obtained from: Privacy Act Office, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location c., information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location d.: Information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

For records at location e.: Information may be obtained from: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at location f.: Information may be obtained from: Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, Va. 22161.

For records at location g.: Information may be obtained from: Privacy Officer, National Telecommunications and Information Administration, U.S. Department of Commerce, 1800 G Street, NW, Washington, D.C. 20504.

For records at location h.: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location i.: Information may be obtained from: Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

Requester should provide name, address, social security number, case number, date of claim, organization unit in which employed, as appropriate, pursuant to the inquiry provisions which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject claimant or plaintiff; those authorized by the foregoing to furnish information; and, whatever sources pertinent to the nature of the case.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(1), (k)(2) and (k)(5), all investigatory material and material subject to the provisions of 5 U.S.C. 552(b)(1) in the record which meets the criteria of these sub-sections is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the agency regulations because of the necessity to exempt this information and material in order to prevent disclosure of classified information as required by Executive Order 12065 in the interest of the national defense and foreign policy and in order for the Department's legal staff to properly perform its functions.

COMMERCE/DEPT-15

System name: Private Legislation Claimants-Central Legislative Files—COMMERCE/DEPT-15.

System location: Office of the General Counsel, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Categories of individuals covered by the system: Individual claimants against the government seeking remedy through private relief bills in patent, contract, employee compensation, and other similar areas which involve the Department.

Categories of records in the system: Draft and formal relief bills, statements, and information as to the basis and validity of the claim, and correspondence with the claimant and the sponsor of the legislation.

Authority for maintenance of the system: 5 U.S.C. 301, Act of February 4, 1903, 32 Stat. 825.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockabled metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained according to the Office's Records Control Schedule.

System manager(s) and address: Assistant General Counsel, Legislation, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name, social security number, date of claim, and name of bill, if any, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the Notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject claimant and those authorized by the claimant to furnish information; records of units of the Department primarily involved in the transaction; service or application on which the claim is founded; and the sponsoring Member of Congress.

COMMERCE/DEPT-16

System name:

Property Accountability Files—COMMERCE/DEPT—16.

System location:

a. For all libraries of the Department. For listing, see Directory of Libraries in the United States Department of Commerce, Department of Commerce, Washington, D.C.; or American Library Directory, biennial, R.R. Bowker Company, New York City.

b. For employees of Census: Administrative Services Division, Bureau of the Census, Federal Building 4, Washington, D.C. 20233, and the following Census Regional Offices: 1365 Peachtree Street, NE., Atlanta, Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 South Tryon Street, Charlotte, North Carolina 28202; 55 East Jackson Boulevard, Chicago, Illinois 60604; 1100 Commerce Street, Dallas, Texas 75242; 7655 W. Mississippi Avenue (P.O. Box 26750), Denver, Colorado 80226; 231 W. Lafayette, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 11777 San Vicente Boulevard, Los Angeles, California 90049; 26 Federal Plaza, New York City, New York 10278; 600 Arch Street, Philadelphia, Pennsylvania 19106; and 1700 Westlake Avenue, Seattle, Washington 98109.

c. For employees of NBS: Security Office, National Bureau of Standards, Administration Building, Gaithersburg, Maryland 20899. Instrument Shops Division, Shops Building, NBS, Gaithersburg, Maryland 20890; and Security Office, Radio Building, NBS, Boulder, Colorado 80302.

d. For employees of PTO: Users Service Section, Scientific Library, U.S. Patent and Trademark Office, Washington, D.C. 20231.

e. For NTIA: Office of Administration, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system:

Employees, general public, institutions, and anyone who charges out or signs for books or other materials.

Categories of records in the system:

Name; telephone number, title of book; identification of property or equipment; home and business address; employee I.D. number, position, job title; grade; organization; explanations for items not accounted for, correspondence; clearance; and key number.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101; 40 U.S.C. 481-92; 15 U.S.C. 1518.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). See routine use paragraphs 1-5 and 9-13 of Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(1)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)93)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper copy in file folders and trays and machine-readable media.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets, or lockable desks, or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Retained until property is accounted for, then disposed of in accordance with unit's Records Control Schedule.

System manager(s) and address:

For records at location a.: The head of the respective library.

For records at location b.: Associate Director for Management Services, Bureau of the Census, Federal Building 3, Washington, D.C. 20233, and the Director of the particular Regional Office listed above.

For records at location c.: Security Officer, National Bureau of Standards, Administration Building, Gaithersburg, Maryland 20899.

For records at location d.: Program Manager, Scientific Library, U.S. Patent and Trademark Office, Washington, D.C 20231.

For records at location e.: Director of Administration, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

For records at location a.: Address communication to the library's parent organization (e.g., National Bureau of Standards), Attention: Privacy Officer, or use the Privacy Officer's official position title and address as listed in Apppendix B to the Department's rules which appear in 15 CFR Part 4b.

For records at location b.: Information may be obtained from: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location c.: Information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

For records at location d.: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231.

For records at location e.: Information may be obtained from: Privacy Officer, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Requester should provide name and address pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, book cards, and supply person providing the equipment.

COMMERCE/DEPT-17

System name:

Records of Cash Receipts—COMMERCE/DEPT-17.

System location:

a. For Departmental offices, BEA, ITA, MBDA, USTTA, Office of Financial Operations and Travel Management, OS, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

b. For NTIS: Accounting Division, National Technical Information Service, Springfield, Virginia 22161.

c. For PTO: Office of Finance, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

d. For Census: Finance Division, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

e. For NTIA: Office of Administration, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230.

f. For EDA: Accounting Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Categories of individuals covered by the system:

Individuals paying for goods or services, reimbursing overpayments, or otherwise delivering cash to the Department.

Categories of records in the system:

Individual's name, the goods or service purchased, amount, date, check number, division or office, bank deposit, treasury deposit number.

Authority for maintenance of the system:

31 U.S.C. 66(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718). See routine use paragraphs 1-5 and 9-13 of the Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine-readable.

Retrievability:

Name and/or account or case number.

Safeguards:

Records are located in lockable metal file cabinets or in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Permanently maintained.

System manager(s) and address:

For records at location a.: Director, Office of Financial Operations and Travel Management, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location b.: Chief, Accounting Division, National Technical Information Service, Springfield, Virginia 22161.

For records at location c.: Director, Office of Finance, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location d.: Associate Director for Management Services, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location e.: Director of Administration, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location f.: Chief, Accounting Division, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Notification procedure:

For BEA records at location a., information may be obtained from: Chief, Management and Organization Branch, BEA, Tower Building, 1401 K Street, NW, Washington, D.C. 20230;

For ITA records at location a., information may be obtained from: Director, Office of Management and Systems, ITA, U.S. Department of Commerce, Washington, D.C. 20230;

For MBDA records at location a., information may be obtained from: Privacy Officer, Office of Chief Counsel MBDA, U.S. Department of Commerce, Washington, D.C. 20230;

For USTTA records at location a., information may be obtained from: Director, Office of Administration, USTTA, U.S. Department of Commerce, Washington, D.C. 20230; and

For all other records at location a., information may be obtained from: Chief, Information Management Division, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location b., information may be obtained from: Associate Director for Financial and Administrative Management, National Technical Information Service, Springfield, Virginia 22161.

For records at location c., information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231;

For records at location d., information may be obtained from: Associate Director for Management Services, Bureau of the Census, Federal Building 3, Washington, D.C. 20233;

For records at location e., information may be obtained from: Privacy Officer, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location f., information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Washington, D.C. 20230;

Requester should provide name, address, date of receipt, an check number or case number pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. USE above address.

Record source categories:

Subject individual and those authorized by the indivdual to furnish information.

COMMERCE/DEPT-18

System name:

Employees Personnel Files Not Covered By Notices of Other Agencies-COMMERCE/DEPT-18.

System location:

a. For all Departmental employees: Departmental Office of Personnel, Room 5001, U.S. Department of Commerce, Washington, D.C. 20230 (for automated records and for selected records relating to Senior Executive Service and Departmental Honor Awards).

b. For employees of Departmental Offices, NTIA, NTIS, MBDA, and USTTA: Departmental Office of Personnel Operations, Room 5008, U.S. Department of Commerce, Washington, D.C. 20230.

c. For employees of Census: Office of Personnel, Bureau of the Census, Federal Building 3, Room 3260, Washington, DC 20233;

d. For employees of ITA; Office of Personnel, International Trade Administration, Room 3512, U.S. Department of Commerce, Washington, DC 20230;

e. For employees of NBS: Office of Personnel, National Bureau of Standards, Administration Building Room A123, Gaithersburg, Maryland 20899;

f. For employees of NOAA: Office of Personnel, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852, and the following Administrative Support Centers:

DOC/NOAA/EASC, RAS/EC5, 235 Monticello Avenue, Norfolk, Virginia 23510; DOC/NOAA/MASC, RAS/MC7, Room 5534; 325 Broadway, Boulder, Colorado, 80303; DOC/NOAA/WASC, RAS/WC5, Operations Building, 7600 Sand Point Way, NE, Seattle, Washington 98115; and

DOC/NOAA/CASC, RAS/CC5, Federal Building, Room 1758, 601 E. 12th Street Kansas City, Missouri 64106.

g. For employees of PTO, Office of Personnel, U.S. Patent and Trademark Office, U.S. Department of Commerce, Room 9C06, Crystal Plaza 2, Arlington, Virginia 22202;

h. For employees of EDA, Personnel Management Division, Economic Development Administration, Room 7089, U.S. Department of Commerce, Washington, D.C. 20230; and

i. For any Department employee: The immediate office of an employee's supervisor(s), for records which have been disclosed to someone else.

Categories of individuals covered by the system:

Current and former employees.

Categories of records in the system:

All personnel records in the Department which are subject to the Privacy Act but are not covered in the notices of systems of records published by other agencies with influence upon personnel management in the Department such as the Office of Personnel Management, Merit System Protection Board, Equal Employment Opportunity Commission, Department of State or Department of Labor. The records of this system may include, but are not limited to Employee Development; Incentive Awards; Employee Relations; Grievance Records; Medical; Work-related Injury or Illness Claims; Grievance Records; Medical; Career Management Program Ship Personnel; Employee Overseas Assignment; Minority Group Statistics Program, Work Performance and Appraisal Records; including supervisory records which have been disclosed; Re-employment and Priority Placement Program; Executive Assignments and Merit Pay Actions; Merit Assignment Programs; Retirements; Within-Grade Denials (Reconsideration File); and Automated Employee Information System.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101; 5 U.S.C. 4101 et seq., 5 U.SC. 1302, 3302, E.O. 10577, 3 CFR 1954–1958 Comp. p. 218, E.O. 12107, 3 CFR 1978 Comp. p264; and Federal Personnel Manual and related directives of the agencies cited above.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Information concerning current or former employees may be disclosed to a private organization or individual as necessary to obtain information in connection with a decision concerning the assignment, hiring, or retention of an individual, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

b. To disclose information to any source from which additional information is requested in the course of processing a grievance to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

c. To disclose information to officials of the Office of Personnel Management, Merit Systems Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission, the Department of State, or the Department of Labor when requested in performance of their authorized duties.

d. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

e. To provide information to officials or labor organizations reorganized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

f. To disclose information to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718).

g. See routine uses paragraphs in the Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f), and the Federal Claims Collection Act of 1968 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine-readable.

Retrievability:

Filed by name and/or social security number.

Safeguards:

Records are located in lockable metal file cabinets or in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Retained according to Unit's Records Control Schedule.

System manager(s) and address:

For records at location a. Director, Office of Personnel, Room 5001, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location b: Director, Office of Personnel Operations, Room 5008, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location c: Chief of Personnel, Bureau of the Census, Federal Building 3, Room 3260, Washington, D.C. 20233;

For records at location d: Director, Office of Personnel, International Trade Administration, U.S. Department of Commerce, Room 3512, Washington, D.C. 20230;

For records at location e: Chief, Personnel Division, National Bureau of Standards, Administration Building, Room A123, Gaithersburg, Maryland 20899;

For records at location f: Chief, Personnel Division, WSC5, National Oceanic and Atmospheric Administration, NBOC2, Rockville, Maryland 20852, and the Director of the particular Administrative Support Center listed above;

For records at location g: Personnel Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Room 9C06, Crystal Plaza 2, Arlington, Virginia 22202;

For records at location h: Personnel Management Division, Economic Development Administration, Room 7089, Washington, D.C. 20230; and

For records at location i: Employee's supervisor(s).

Notification procedure:

For BEA records at locations a. and b., information may be obtained from: Chief, Management and Organization Branch, BEA, Tower Building, 1401 K Street, NW, Washington, D.C. 20230;

For NTIA records at locations a. and b., information may be obtained from: Privacy Officer, NTIA, U.S. Department of Commerce, Washington, D.C. 20504;

For NTIS records at locations a. and b., information may be obtained from: Privacy Officer, NTIA, U.S. Department of Commerce, Washington, D.C. 20230;

For MBDA records at locations a. and b. information may be obtained from: Privacy Officer, Office of Chief Counsel, MBDA, U.S. Department of Commerce, Washington, D.C. 20230;

For USTTA records at locations a. and b., information may be obtained from: Director, Office of Administration, USTTA, U.S. Department of Commerce, Washington, D.C. 20230;

For all other records at locations a. and b., information may be obtained from Chief, Information Management Division, Office of Information Resources Management, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location c., information may be obtained from Associate Director for Management Services, Bureau of the Census, Federal Building 3, Washington, D.C. 20233;

For records at location d., information may be obtained from: Privacy Act Officer, Office of Management and Systems, International Trade Administration, Room 4001B, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location e., information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Gaithersburg, Maryland 20899.

For records at location f., information may be obtained from: Director, Administrative and Technical Services, National Oceanic and Atmospheric Administration, Room 4213, Herbert C. Hoover Building, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location g., information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location h., information may be obtained from: Personnel Management Division, Economic Development Administration, Room 7089, U.S. Department of Commerce, Washington, D.C. 20230; and

For records at location i., information may be obtained from: Privacy Officer for employee's unit.

Requester should provide name, social security number, and time or organization unit of employment pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Request from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information; others involved in references of the individual; physicians; employee's supervisor; for grievance records information is also provided by the testimony of witnesses, by agency officials, and from related correspondence from organizations or persons.

COMMERCE/DEPT-19

System name: Department Mailing Lists—COMMERCE/DEPT-19.

System location: a. Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

b. Minority Business Development Agency, U.S. Department of Commerce, Washington, D.C. 20230.

c. Office of General Services, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

d. For carpool locator records of NBS: Facilities Services Division, National Bureau of Standards, Administration Building, Washington, D.C. 20234.

e. Office of Administrative Services, U.S. Department of Commerce, 14th & Constitution Avenue, NW, Washington, D.C. 20230.

Categories of individuals covered by the system: At location a.: 1. Persons employed in the Suitland Federal Center who have voluntarily submitted an application to be included in the carpool locator system and be listed as a possible carpool member, and 2. Subscribers to Bureau of the Census publications.

At location b.: Subscribers to MBDA publications and/or representatives of the media who receive MBDA material at their home addresses.

At location c.: Former employees of the Patent and Trademark Office who have requested that their names be included on a newsletter mailing list.

At location d.: Individuals who have voluntarily submitted an application to be included in the carpool locator system and to be listed as a potential carpool member.

At location e.: Individuals who communicated with the 1978 White House Conference on Balanced National Growth and Economic Development, including individuals who received Conference literature.

Categories of records in the system: At location a.: 1. Carpool records include name, address, work week, hours of work, work location, work phone number, willingness to join in a carpool, willingness to participate as a driver or rider in a carpool, zip code. 2. Subscriber lists include name and home address.

At location b.: Name and home address.

At location c.: Name and home address.

At location d.: Carpool locator records include applicant's name, home address, zip code, work hours, work location, office telephone number.

AT location e.: Name, home and/or business address; home and/or business telephone number; place of employment or interest group; type of organization; nature of relationship to the Conference (participant, guest, observer, etc.); source of name; and subject area(s) of interest.

Authority for maintenance of the system: 5 U.S.C. 301; 15 U.S.C. 1512, 2205, 2208, and 44 U.S.C. 3101.

For records at location e.: Public Works and Economic Development Act of 1976, Pub.L. 94-487, Title II, 90 Stat. 2339, 42 U.S.C. 3121 note.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For all locations, see general routine uses 4, 5, 9, 10, 12, and 13 of the Prefatory Statement.

For records at location a.: Carpool records are disseminated to other persons working at the Suitland Federal Center who have voluntarily listed themselves to form carpools; home address is suppressed.

For records at location d.: Carpool locator records are disseminated to individuals working at or near the NBS site, who request information on carpools. (Home addresses are withheld.)

For records at location e.: Information may be provided Federal, State, local or international agencies in response to a written request indicating likelihood that individuals on the mailing list would benefit by or be interested in material to be sent by the requesting agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy in file folders, computer tape, mailing labels.

For records at location e.: Index cards and computer print-outs.

Retrievability: Alphabetically by name, and for records at location a., by zip code.

For records at location e.: Alphabetically, by name, by geographical area (state, city), by type of organization with which affiliated if any, by nature of relationship to the Conference, by source of name, and by subject area(s) of interest.

Safeguards: Records are located in locked cabinets or in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained in accordance with each unit's Records Control Schedule.

System manager(s) and address: For records at location a.: Associate Director for Administation, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

For records at location b.: Chief of Information, Office of Public Affairs, MBDA, Washington, D.C. 20230.

For records at location c.: Director, Office of General Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location d.: Chief, Facilities Services Division, National Bureau of Standards, Administration Building, Room A705, Washington, D.C. 20234.

For records at location e.: Director, Office of Administrative Services, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Notification procedure: For records at location a.: Information may be obtained from: Associate Director for Administration, Federal Building 3, Bureau of the Census, Washington, D.C. 20233.

For records at location b.: Privacy Officer, Office of Chief Counsel, Minority Business Development Agency, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location c.: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at location d.: Information may be obtained from Deputy Director of Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requests should provide applicant's name and address in accord with the inquiry provisions of the Department's rules that appear in 15 CFR Part 4b.

For records at location e.: Information may be obtained from: Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

Record access procedures: Requests from individuals should be addressed to: Same address of the desired location as stated in the Notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address for desired location.

Record source categories:

Subject individuals, and those authorized by subject individual.

For records at location e.: Subject individual; those authorized by the individual to furnish information; public reference sources (press articles, Who's Who, etc.); government, private and public interest organizations.

COMMERCE/DEPT-20

System name: Biographical Files—COMMERCE/DEPT-20.

System location: a. For Secretarial Officers, senior-level officials, and employees of the Office of the Secretary: Office of Public Affairs, U.S. Department of Commerce, Washington, D.C. 20230.

b. For Secretarial Officers and senior-level officials included in Biographical Resumes of Key Officials: Offices of the Director of Personnel, and Assistant Secretary for Administration; all Office of the Secretary, U.S. Department of Commerce, Washington, D.C. 20230.

c. For employees of CENSUS: Public Information Office, Federal Building No.3, Bureau of the Census, Washington, D.C. 20230.

d. For employees of ITA: Office of Public Affairs, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20233.

e. For employees of EDA: Office of Public Affairs, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

f. For employees of MARAD: Office of Public Affairs, Maritime Administration, U.S. Department of Commerce, Washington, D.C. 20230.

g. For members of the Advisory Board to the U.S Merchant Marine Academy: Office of Assistant Secretary for Maritime Affairs, U.S. Department of Commerce, Washington, D.C. 20230.

h. For employees of NBS and for participants in the Commerce Science and Technology Fellowship Program: Public Information

Division, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

i. For employees of NBS' Boulder Laboratories: Program Information Office, National Bureau of Standards, Radio Building, Boulder, Colorado 80303.

j. For members of the National Advisory Committee on Oceans and Atmosphere: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, NW (PG No.1, Room 438), Washington, D.C. 20235.

k. For employees of NOAA: NOAA headquarters locations: Office of Public Affairs, National Oceanic and Atmospheric Administration, 11420 Rockville Pike, Rockville, Maryland 20852, and/or NOAA field installations, the principal addresses of which are:

NOAA's National Ocean Survey, 6001 Executive Boulevard, Rockville, Maryland 20850.

NOAA's National Weather Service, 8060 13th Street, Silver Spring, Maryland 20910.

NOAA's Office of Coastal Zone Management, 2001 Wisconsin Avenue, NW, Washington, D.C. 20235.

NOAA's Office of Sea Grant, 6010 Executive Boulevard, Rockville, Maryland 20852.

NOAA's Environmental Research Laboratories, 3100 Marine Street, RB3, Boulder, Colorado 80302, and Environmental Research Laboratories at 9 locations in the United States.

NOAA's National Marine Fisheries Service, 3300 Whitehaven Street, Washington, D.C. 20235.

A complete list of all field installations is available upon request from individual designated in Notification section below.

l. For employees of MBDA: Public Affairs Office, Minority Business Development Agency, U.S. Department of Commerce, Washington, D.C. 20230.

m. For employees of PAT-TM: Office of Information Services, Patent and Trademark Office, Washington, D.C. 20231.

n. For employees of the Office of Science and Technology and Productivity, Technology and Innovation and organizational components reporting to the Assistant Secretary; for members of the Commerce Technical Advisory Board and its subcommittees; and for participants in the Commerce Science and Tech-Productivity, Technology and Innovation, U.S. Department of Commerce, Washington, D.C. 20230.

o. For employees of NTIA's Institute for Telecommunication Sciences: Institute for Telecommunication Sciences, NTIA, Boulder, Colorado 80302. For other NTIA employees: Office of the Director of Congressional and Public Affairs, NTIA, 1800 G Street, NW, Washington, D.C. 20504.

The information in this system may be duplicated in other Privacy Act systems of the Commerce Department, in the systems maintained by the Office of Personnel Management, or in the immediate office of the individual to whom the biographical record pertains. For assistance in this regard, contact the Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Present and former Department personnel, and members of advisory committees.

Categories of records in the system:

Biographical information which typically includes date and place of birth; education; military service; present position; employment history; field of research; publications; inventions and patents; awards and honors; memberships and affiliations; present and past residences; telephone number; names, ages, and addresses of family members; hobbies and outside interests; and photograph of individual.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 1512, 44 U.S.C. 3101 and Reorganization Plan No. 5 of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Distributed to the press, other government agencies, and the general public for use in connection with written articles, oral interviews, speaking engagements, retirement and obituary notices, and other purposes of public information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders or notebooks.

Retrievability:

By name alphabetically or by position or work unit.

Safeguards:

Records are located in locked metal file cabinets or locked rooms during non-business hours.

Retention and disposal:

Records retention and disposal is in accord with each operating unit's Records Control Schedule.

System manager(s) and address:

For records at location a.: Information Assistant, Office of Communications.

For records at location b.: Director of Personnel, U.S. Department of Commerce.

For records at location c.: Director, Bureau of the Census.

For records at location d.: Director, Office of Public Affairs, International Trade Administration.

For records at location e.: Director, Office of Public Affairs, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

For records at location f.: Chief, Public Information Division, National Bureau of Standards.

For records at location g.: Chief, Program Information Office, National Bureau of Standards.

For records at location h.: Executive Director, National Advisory Committee on Oceans and Atmosphere.

For records at location i.: Director, Office of Public Affairs, National Oceanic and Atmospheric Administration.

For records at location j.: Information Officer, Minority Business Development Agency.

For records at location k.: Director, Office of Information Services, Patent and Trademark Office.

For records at location l.: Special Assistant to the Assistant Secretary for Productivity, Technology, and Innovation, Office of Productivity, Technology, and Innovation, U.S. Department of Commerce.

For records at location m.: Director of Congressional and Public Affairs, National Telecommunications and Information Administration.

For each system manager, use same address as shown in applicable System Location section above.

Notification procedure:

For records at locations a. b. h., and for Office of the Secretary records at location l. Information may be obtained from: Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

For records at the locations listed below, information may be obtained from the individual designated. Use same address for each as shown in appropriate System Location section above.

c.: Associate Director for Administration, Bureau of the Census.

d.: Privacy Act Officer, Office of Management and Systems, International Trade Administration, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230.

e.: Director, Office of Public Affairs, Economic Development Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

f. and g. and NBS records at location l. Deputy Director of Administration, National Bureau of Standards.

k.: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration.

l.: Privacy Officer, Office of Chief Counsel, Minority Business Development Agency.

m.: and PTA-TM records at location l. Assistant Commissioner for Administration, Patent and Trademark Office.

n: Privacy Officer, National Telecommunications and Information Administration.

For NTIS records at location l. Assistant Director for Administration, National Technical Information Service, Sills Building, Springfield, Virginia 22161.

BEA records are included in locations a. and b. above.

Record access procedures:

Requests from individuals should be addressed to: Same address of the desired location as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address for desired location.

Record source categories:

All locations, subject individuals. Also, for records at locations b. and f, the individual's Official Personnel File; for records at location i. supervisors of subject individuals; for records at locations h. and i., personnel offices; and for records at locations f., g., and l., other sources such as news releases, articles and publications relating to the subject individual.

COMMERCE/DEPT-21

System name:

COMMERCE/DEPT-21—Telephone Call Detail Records.

System location:

a. For employees of the Bureau of the Census: Office of the Associate Director for Management Services, Federal Building 3, Room 2027, Suitland, Maryland 20233.

b. For employees of the Bureau of Economic Analysis: Office of Administration, Room 1026A, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230.

c. For employees of the Economic Development Administration: Office of the Chief Counsel, Room 7001, U.S. Department of Commerce, Washington, DC 20230

d. For employees of the Bureau of Export Administration: Office of Administration, Room 4886, U.S. Department of Commerce, Washington, DC 20230.

e. For employees of Economic Affairs: Office of Administration, Economic Affairs, Room 4079, U.S. Department of Commerce, Washington, DC 20230.

f. For employees of the International Trade Administration: Director, Office of Organization and Management Support, International Trade Administration, Room 4102, U.S. Department of Commerce, Washington, DC 20230.

g. For employees of the Minority Business Development Agency: Director, Office of Administrative Management, Management Division, Minority Business Development Agency, Room 5087A, U.S. Department of Commerce, Washington, DC 20230.

h. For employees of the National Institute of Standards and Technology: Office of the Associate Director of Administration, Room A1105, National Institute of Standards and Technology, Gaithersburg, Maryland 20234.

i. For employees of the National Oceanic and Atmospheric Administration:

(1) Chief, Facilities and Logistics Division, National Capital Administrative Support Center, National Oceanic and Atmospheric Administration, Rockwall Building, Room 505, Rockville, Maryland 20852.

(2) Chief, Facilities and Logistics Division, Eastern Administrative Support Center, National Oceanic and Atmospheric Administration, Room 301, 253 Monticello Avenue, Norfolk, Virginia 23510.

(3) Chief, Facilities and Logistics Division, Central Administrative Support Center, National Oceanic and Atmospheric Administration, 601 East 12th Street, Kansas City, Missouri 64106.

(4) Chief, Facilities and Logistics Division, Mountain Administrative Support Center, National Oceanic and Atmospheric Administration, 325 Broadway, Room 4532, Boulder, Colorado 80303.

(5) Chief, Facilities and Logistics Division, Western Administrative Support Center, National Oceanic and Atmospheric Administration, 7600 Sand Point Way, NE., BIN C15700, Seattle, Washington 98115-0070.

j. For employees of the National Technical Information Service: Office of Administrative Management, Room 209, Forbes Building, National Technical Information Service, Springfield, Virginia 22161.

k. For employees of the National Telecommunications & Information Administration: Office of the Chief Counsel, Room 4717, U.S. Department of Commerce, Washington, DC 20230.

l. For employees of the Office of the Secretary: Office of Federal Property Programs, Procurement and Administrative Services, Room 1032, U.S. Department of Commerce, Washington, DC 20230.

m. For employees of the Patent and Trademark Office: Office of the Solicitor, Room 5C15, Crystal Plaza 2, Patent and Trademark Office, Crystal City, Virginia 20231.

n. For employees of the United States Travel and Tourism Administration,: Office of Management and Administration, Room 1524, U.S. Travel & Tourism Administration, Washington, DC 20230.

Categories of individuals covered by the system:

Commerce employees and contractor personnel who make long distance calls, and individuals who receive telephone calls placed from or charged to agency telephones.

Categories of records in the system:

Records relating to use of the agency telephones; records indicating assignment of telephone numbers to employees; records relating to location of telephones; records relating to unauthorized use of telephones and personnel or administrative actions related to telephone abuse.

Authority for maintenance of the system:

Title 5 U.S.C. 301; Pub. L. 97-258; Title 31 U.S.C. 1348; 44 U.S.C. 3101, 5 U.S.C. 552a; 41 CFR Part 201-38.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records and data may be disclosed, as is necessary, (1) to Members of Congress to respond to inquiries made on behalf of individual constituents that are record subjects; (2) to representatives of the General Services Administration or the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906; (3) in response to a request for discovery or for the appearance of a witness, to the extent that what is disclosed is relevant to the subject matter involved in a pending judicial or administrative proceeding; (4) in a proceeding before a court or adjudicative body to the extent that they are relevant and necessary to the proceeding; (5) in the event that material in this system indicates a violation of law, whether civil or criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be disclosed to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order, issued pursuant thereto; (6) to employees of the agency to determine their individual responsibility for telephone calls; (7) to respond to a Federal agency's request made in connection with the hiring or retention of an employee, the letting of a contract or issuance of a grant, license or other benefit by the requesting agency, but only to the extent that the information disclosed is relevant and necessary to the requesting agency's decision on the matter; (8) to a non-government company providing telecommunications consulting or contracting services to the Government; (9) to managers, supervisors and other personnel responsible for the management of telecommunications activities within the agency, to manage the operations and costs of telecommunications and to identify improper or unauthorized use of telecommunications resources; (10) to an employee of the Federal government, but only to the extent that the information relates specifically and solely to the specific employee.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12)

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

The Department's policy is that only those individuals with a need to know, pursuant to their official duties, shall have access to call detail records. Each individual with such access is responsible for controlling records in their possession in such a way that ensures privacy. Storage of such material is also the responsibility of the individual and must be done in such a way as to prevent unauthorized disclosure. Call detail records shall be maintained by Department personnel for a period of not more than two years. After that period, records on electronic media should be erased and those records on papers, microform or microfiche media destroyed through shredding or burning. Records requiring storage longer than two years (e.g., kept under court order, etc.) shall be maintained until appropriate releases are issued. At that time, such records may be disposed of in the methods described in this document.

Storage:

Paper records in file folders, computer printouts, magnetic tape, word processor diskettes, microform media or other electronic media.

Retrievability:

Records may be retrieved by employee name or identification number, by name of recipient of telephone call, by telephone number, or by location.

Safeguards:

Paper records and backup diskettes are located in locked metal file cabinets; data on personal computer is password protected. Other machine readable records are stored on magnetic tape in a safe accessible only to security personnel.

Retention and disposal:

Records are disposed of as provided in National Archives and Records Administration General Records Schedule 12.

System manager(s) and address:

For Telecommunications Management Information System (TMIS): Chief, Telecommunications Management Division, Office of Information Resources Management, Room H6625, U.S. Department of Commerce, Washington, DC 20230. For records at location a.: Chief, Telecommunications Staff, Office of the Director, Bureau of the Census, Room 1553, FOB No. 3, Suitland, Maryland 20233.

For records at location b.: Director, Office of Administration, Bureau of Economic Analysis, Room 1026A, Department of Commerce, Washington, DC 20230.

For records at location c.: Deputy Assistant Secretary for Management Support, Economic Development Administration, Room 7019B, Washington, DC 20230.

For records at location d.: Director, Office of Administration, Bureau of Export Administration, Room 4886, Washington, DC 20230.

For records at location e.: Director, Office of Administration, Economic Affairs, Room 4079, Department of Commerce, Washington, DC 20230.

For records at location f.: Director, Office of Organization and Management Support, International Trade Administration, Room 4102, U.S. Department of Commerce, Washington, DC 20230.

For records at location g.: Associate Director, Office of Operations, Minority Business Development Agency, Room 6723, U.S. Department of Commerce, Washington, DC 20230.

For records at location h.: Chief, Computer Systems and Communications Division, National Institute of Standards and Technology, Technology Building, Room A 151(716), Gaithersburg, Maryland 20899.

For records at location i.: Chief, Organization and Directives Division, Office of Administration, National Oceanic and Atmospheric Administration, Room 716 WSC 5, U.S. Department of Commerce, Rockville, Maryland 20230.

For records at location j.: Chief, Facilities Management Division, National Technical Information Service, Room 1016, Forbes Building, Springfield, Virginia 22161.

For records at location k.: Director, Office of Policy Coordination and Management, National Telecommunications and Information Administration, Room 4890, Washington, DC 20230.

For records at location l.: Director, Office of Federal Property Program, U.S. Department of Commerce, Room 1032, Washington, DC 20230.

For records at location m.: Chief, Facilities Management Division, Office of General Services, Patent and Trademark Office, Room 802C, Crystal Park No. 1, Washington, DC 20231.

For records at location n.: Director, Office of Management and Administration, United States Travel and Tourism Administration, Room 1524, Washington, DC 20230.

Notification procedure:

Information may be obtained from the appropriate component as listed under System Manager(s). Requester should provide his or her name pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to the same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determination by the individual concerned appear in 15 CFR Part 4b. Use above address.

COMMERCE/CENSUS-1

System name: Agriculture Census Records for 1974 and 1978—COMMERCE/CENSUS-1.

System location: Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103.

Categories of individuals covered by the system: Farm operators.

Categories of records in the system: Age, race, residence, ethnic groups off-farm employment, income.

Authority for maintenance of the system: 13 U.S.C. 142.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes and are confidential under 13 U.S.C. 8 and 9. Publications of the Bureau do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microform, paper hard copy.

Retrievability: Retrieved by unique serial identification numbers internal to the Bureau.

Safeguards: All employees are subject to the restrictions penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, governing the confidentiality of the data.

Retention and disposal: Retention and disposal practices are in accordance with approved General Services Administration schedules. Generally, records are retained for periods of 5 to 11 years, unless a longer period is necessary for statistical purposes or for permanent archival retention.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance with agency rules published in 15 CFR Part 4b.

COMMERCE/CENSUS-2

System name: Employee Productivity Measurement Records—COMMERCE/CENSUS-2.

System location: Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103 and Bureau of the Census, Personal Census Service Branch, Pittsburg, Kansas 66762. Also at the following Census Regional Offices: 1365 Peachtree Street, NE., Atlanta, Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 S. Tryon Street, Charlotte, North Carolina 28202; 55 E. Jackson Boulevard, Suite 1304, Chicago, Illinois 60604; 1100 Commerce Street, Dallas, Texas 75242; 575 Union Boulevard, P.O. Box 25207, Denver, Colorado 80225; 231 W. Lafayette, RM 565, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 11777 San Vicente Boulevard, Los Angeles, California 90049; 26 Federal Plaza, New York, New York 10278; 600 Arch Street, Philadelphia, Pennsylvania 19106; 1700 Westlake Avenue, Seattle, Washington, 98109. Also at the following processing offices: Bureau of the Census, Laguna Niguel Processing Office, Chet Holifield Building, 24000 Avila Road, Laguna Niguel, California 92677 and Bureau of the Census, New Orleans Processing Office, Michoud Assembly Facility, Building 350-2W, 13800 Old Gentilly Road, New Orleans, Louisiana 70129.

Categories of individuals covered by the system: Census employees.

Categories of records in the system: Name, employee number, rate of pay, supervisor, organization unit, location, type of work performed, time work accomplished, work units processed, production standard and percent performance, number and types of errors and error rates, work units accepted and rejected, and similar information on employee and work group productivity.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1-5 and 8-13 in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, paper copy, microform.

Retrievability: Retrieved by name or employee number and/or program or interviewer code.

Safeguards: Tape under ADP security, sensitive material is held in locked file cabinets.

Retention and disposal: Records retained for 5 years.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Notification procedure: Information may be obtained from Same address as stated in the system manager section above. Requester should provide name, employee number and/or program or interviewer code, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals, timekeepers, supervisors, managers, and those authorized by the individuals to furnish information.

COMMERCE/CENSUS-3

System name: Individual and Household Statistical Surveys and Special Studies Records—COMMERCE/CENSUS-3.

System location: Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103 and National Archives and Records Administration, Washington National Records Center, Washington, D.C. 20409.

Categories of individuals covered by the system: Individuals designated for statistical sample surveys and special studies.

Categories of records in the system: Age, sex, race, education, marital status, residence, family income, birth expectations, employment, ethnic origin, relationship to head of household, mobility status, and similar social, economic, and demographic characteristics of individuals.

Authority for maintenance of the system: 12 U.S.C. 17012-1, 2(f) and 2(g); 13 U.S.C. 6, 8, 9, 41, 89, 101, 141, 181, 195, and 301; 15 U.S.C. 772; 16 U.S.C. 742d(4) and (5); 23 U.S.C. 134, 307, and 307a; 29 U.S.C. 1 and 9; 31 U.S.C. 686; 42 U.S.C. 242c, 242k, 282(5), 902, 1395 11(a), 1862, 2825, and 3732; and 49 U.S.C. 1605.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Identifiable data from records not protected by 13 U.S.C. 9, received from State and local units of government responsible for administering Comprehensive Employment and Training Act funds and from individual respondents pursuant to the Longitudinal Manpower Survey authorized by 29 U.S.C. 881(c) and 883, may be furnished to the Social Security Administration solely for the purpose of obtaining further identifiable data for statistical use in the Survey. The data provided are: Social security number, name, month and year of birth, race and sex. No determinations affecting individual respondents are made as a result of this routine use. (2) Publications resulting from the use of the records in this system do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy, punch card, magnetic tape, and microfilm.

Retrievability: Unique serial identification numbers internal to the Bureau of the Census.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C.. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Retention and disposal practices are in accordance with approved GSA schedules. Generally, records are retained for periods of 5 to 7 years, unless a longer period is necessary for statistical purposes or for permanent archival retention.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C., 552a(k)(4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/CENSUS-4

System name: Minority-Owned Business Enterprises Survey Records—COMMERCE/CENSUS-4.

System location: National Archives and Records Administration, Washington National Records Center, Washington, D.C. 20409 and General Services Administration, Federal Records Center, Suitland, Maryland 20233 and Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Female and minority persons who are sole proprietors, partners, or shareholders of small business corporations.

Categories of records in the system: Name, social security number, sex, race, whether Spanish surname, receipts of business, geographic area, legal form of business. Name and social security number are deleted from partners and stockholders once other data are coded. Data include number, geographic dispersion, and economic characteristics of minority business enterprises.

Authority for maintenance of the system: 13 U.S.C. 131 and 132.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy and magnetic tape.

Retrievability: Filed by name and social security number.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Records are retained in accordance with the unit's Records Control Schedule.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/CENSUS-5

System name: Population and Housing Census Records of the 1960 and Subsequent Censuses—COMMERCE/CENSUS-5.

System location: Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103.

Categories of individuals covered by the system: All persons counted during the Censuses of Population and Housing taken in 1960 and later.

Categories of records in the system: Records contain population information on age; sex; race or color; marital status and family relationships; citzenship and ethnic origin; education and veteran status, income, occupation and employment; and housing information on occupancy, vacancy, utilization, plumbing, structural and financial characteristics and equipment, fuels and appliances, and similar social, economic, and demographic characteristics.

Authority for maintenance of the system: 13 U.S.C. 141.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained and used solely for statistical purposes and are confidential under 13 U.S.C. 8 and 9. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microform, paper copy, magnetic tape, punch cards.

Retrievability: Information is retrieved by the use of unique serial identification numbers internal to the Bureau of the Census.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. employees are also regularly advised of the regulations issued pursuant to title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Records are retained in accordance with the unit's Records Control Schedule.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C., 552a(k)(4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as data are maintained by the Bureau of the Census solely as statistical records as required under title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/CENSUS-6

System name: Population Census Personal Service Records for 1900 and All Subsequent Decennial Censuses—COMMERCE/CENSUS-6.

System location: Bureau of the Census, Personal Census Services Branch, Pittsburg, Kansas 66762.

Categories of individuals covered by the system: All persons ever counted during decennial censuses of population (1900–1970).

Categories of records in the system: Name, address, relationship to head of household, date of birth, marital status, occupation and education data, race of household members, and other similar characteristics as reported in each census.

Authority for maintenance of the system: 13 U.S.C. 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be considered as statistical records pursuant to 5 U.S.C. 552(a), as they were originally collected for statistical purposes, and are now maintained to perform searches at the request of subject individual under procedures published in the 15 CFR Part 60 and in accordance with 13 U.S.C. 8 to provide proof of age, citizenship, proof of relationship, and limited use for genealogical purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microform.

Retrievability: Indexed by numerical coding of surname on SOUNDEX system and by township, county, and state.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(4) this record is exempt from the notification access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as data are maintained by the Bureau of the Census as statistical records as required by Title 13, U.S. Code and are not used by the Bureau in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance with the Department's rules which appear in 15 CFR Part 4b.

COMMERCE/CENSUS-7

System name: Special Censuses of Population Conducted for State and Local Government—COMMERCE/CENSUS-7.

System location: Bureau of the Census, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103.

Categories of individuals covered by the system: Residents counted in the area requesting a census.

Categories of records in the system: Address, name, age, race, sex, relationship to head of household, and occasionally other related social, economic, and demographic characteristics.

Authority for maintenance of the system: 13 U.S.C. 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, paper copy.

Retrievability: Records are retrieved by name and address.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Tapes retained for 90 days after processing, then erased, paper copy is retained for 2 years, then destroyed.

System manager(s) and address: Associate Director for Administration, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(4) this record is exempt from the notification access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/ITA-1

System name: Individuals Identified in Export Transactions—COMMERCE/ITA-1.

System location: Office of Export Administration, ITA, U.S. Department of Commerce, 14th St. and Constitution Ave., NW., Washington, D.C. 20230.

Categories of individuals covered by the system: a. Individuals involved in export transactions. Information is maintained on domestic and foreign companies and business officials, and includes U.S. citizens involved with or working for firms abroad. b. Individuals identified in an export administration compliance proceeding or investigation. Individuals alleged to have violated the Export Administration regulations; established violators of the regulations; certain other individuals identified by the FBI or other investigating agency or individual in the investigative process such as those involved in organized crime; and individuals who have received warning letters.

Categories of records in the system: Reports and cables from U.S. foreign service posts. Reports from F.B.I., other law enforcement or investigative agencies, investigators, or informants; investigative and intelligence data; documented violations; warning letters. Includes any information on alleged or proven violators of the Export Administration Act.

Authority for maintenance of the system: Export Administration Act of 1979 (Pub. L. 96–72, 50 U.S.C. App. et seq.). 5 U.S.C. 301, 28 U.S.C. 533–535, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1–5 and 8–13 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Information filed by case or subject file. All names are cross-referenced by name card file.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained for a reasonable period of time. Disposition is recorded.

System manager(s) and address: Director, Compliance Division, Office of Export Administration, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Privacy Officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name, address, and case or subject, if known, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing intial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Individual exporters, those authorized by the individual exporters to furnish information, trade sources, investigative agencies, intelligence, investigative and other personnel of the Office of Export Administration, informants, CIA, FBI, Justice Department, Defense Department, Energy Department, and State Department.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(j)(2), all information about an individual in the record which meets the criteria stated in 5 U.S.C. 552a(j)(2) are exempted from the notice, access and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i), and pursuant to 5 U.S.C. 552a(k)(1) and (k)(2) on condition that the 5 U.S.C. 552a(j)(2) exemption is held to be invalid, all investigatory material in the record which meets the criteria stated in 5 U.S.C. 552a(k)(1) and (k)(2) are exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish this law enforcement function of the agency, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel. Section 12(c) of the Export Administration Act of 1979 also protects certain of this information and material related to export licenses from disclosure.

COMMERCE/ITA-2

System name: Individuals Involved in International Business Trade Complaints—COMMERCE/ITA-2.

System location: Office of Export Marketing Assistance, ITA, U.S. Department of Commerce, 14th St. and Constitution Ave., NW., Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals filing trade complaints (business disputes) against foreign firms, or against whom foreign firms file complaints through U.S. Embassies.

Categories of records in the system: Complaint and supporting documentation, record of the handling and disposition of the complaint, and third party information (bank references, information obtained from other parties to the transaction, and commercial contacts of the individual).

Authority for maintenance of the system: 15 U.S.C. 1512.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1-5, 9 and 13 of the Prefatory Statement. Also foreign governments obtain information on the disputants in order to check reliability of the firms involved, and foreign firms involved in the dispute obtain information. This information is supplied to the foreign governments and foreign firms through the Department of State. The Department of State also uses information to check the credibility of the foreign firms involved in a dispute. Information is released to other executive branch agencies, e.g., SBA, USDA, when a party to the dispute falls within their area of jurisdiction in an attempt to solve the dispute.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Name of American party to the dispute.

Safeguards: Metal cabinets with bar and combination lock.

Retention and disposal: Permanent.

System manager(s) and address: Director, Office of Export Marketing Assistance, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Privacy Act Officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name of individual and name of American party to the dispute pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, the complainant, banks, commercial contracts, and other parties to the transaction.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(1), material which is classified is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f), to prevent disclosures detrimental to national defense or foreign policy.

COMMERCE/ITA-3

System name:

Mission Directors/Seminar Chairpersons/Industry Technical Representatives—COMMERCE/ITA-3.

System location: Office of Export Promotion, ITA, 14th St. and Constitution Ave. NW., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals who are Directors of Department of Commerce U.S. Trade Missions, Chairpersons of U.S. Government Seminar Missions, and Industry Technical Representatives of Department of Commerce Catalog Exhibitions and Video/Catalog Exhibitions.

Categories of records in the system: Home address, date and place of birth, photographs, brief career history, citizenship, and passport numbers.

Authority for maintenance of the system: Delegation of Authority, dated June 25,1962 from United States Information Agency under Section 5(e) of Executive Order 11034 of June 25, 1962, as amended by Executive Order 11380 of November 8, 1967, insofar as said delegation pertains to U.S. Participation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General routine uses 1-5, 9 and 13 apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability: By promotion theme of trade event, location of trade event and individual's name.

Safeguards: Records are locked in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: File is retained for three years and then destroyed.

System manager(s) and address: Director, Special Promotions Division, Office of Export Promotion, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: Privacy Act Officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name and location of trade mission and individual's name pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, and individual's company, and those authorized by the individual to furnish information.

COMMERCE/ITA-4

System name:

Membership Information: District Export Councils—COMMERCE/ITA-4.

System location:

U.S. Commercial Service, ITA, 14th St. and Constitution Ave. NW., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system:

Present, former and potential members of the District Export Councils.

Categories of records in the system:

Address, date and place of birth, brief career history, education, special qualifications for appointment, and record of appointment. Miscellaneous material such as photographs, press releases and resumes are maintained on some members.

Authority for maintenance of the system:

15 U.S.C. 1512.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5 and 9, 12, and 13 of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed by council and name of individual.

Safeguards:

Records are located in lockable metal file cabinets or in metal cabinets in secured rooms or premises with access limited to those whose Official duties require access.

Retention and disposal:

Retained for active councils. Retired when councils terminate or when individuals leave councils.

System manager(s) and address:

Deputy Assistant Secretary for the U.S. Commercial Service, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: Privacy Act officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name of individual and council pursuant to the inquiry provisions of the Department's Rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, individual's company, and persons nominating the individual for council membership.

COMMERCE/ITA-5

System name:

National Defense Executive Reserve Personnel Folders—COMMERCE/ITA-5.

System location:

Office of Industrial Mobilization and Office of Export Administration, ITA, 14th and Constitution Ave., NW, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system:

Individuals from the business community selected to assume responsibility for industrial production, construction, and distribution in the event of national emergencies.

Categories of records in the system:

Name; home address; photograph; brief career history; names of close relatives; marital status; previous government experience; previous residences; current and recent past employment and approximate earnings; citizenship; social security number; business and residence telephone numbers; security clearance; statement of understanding; request for appointment; secrecy agreement; sex; date and place of birth; military and civil defense obligations; education; and professional and other memberships.

Authority for maintenance of the system:

E.O. 11179 of September 22, 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5, 9, 12, and 13 of Prefatory Statement. Transferring data to the Federal Emergency Management Agency pursuant to E.O. 11179.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper forms, index cards, word processor diskettes, and magnetic tape.

Retrievability:

Paper forms and index cards are filed alphabetically by individual's name. Data on magnetic tape is retrieved by serial number. Data on word processor diskettes also retrieved alphabetically by individual's name.

Safeguards:

Records are located in lockable metal file cabinets or in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal:

Retained until two years after individual's resignation or death and then discarded.

System manager(s) and address:

Director, Office of Industrial Mobilization, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Emergency Planning Officer, Office of Export Administration, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: Privacy Act Officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide name of individual pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information.

COMMERCE/ITA-6

System name:

Foreign Service Officer Evaluations—COMMERCE/ITA-6.

System location:

Foreign Commerce Service, ITA, U.S. Department of Commerce, 14th and Constitution Ave., NW, Washington, D.C. 20230.

Categories of individuals covered by the system: Members of the Foreign Commercial Service of the United States and Foreign Service Officers of the United States (State Department) serving abroad in commercial and/or economic positions or serving domestically in the United States Government.

Categories of records in the system: (1) Memorandums, cables, letters and other documents used in the preparation of Foreign Service Commercial Officer Evaluation Reports; and (2) other documents relating to officer performance.

Authority for maintenance of the system: Foreign Service Act of 1980 (Pub.L. 96-465)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A record in this system may be disclosed as a routine use to the Department of State in connection with the evaluation of the performance of a Foreign Service Officer. See also paragraphs 1-5 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by individual FSO's name.

Safeguards: Records are located in lockable metal file cabinets in premises with access limited to those whose official duties require access.

Retention and disposal: Documents relating to officer performance are retained until retirement, resignation, or death of the individual and then retired or destroyed, as appropriate.

System manager(s) and address: Director General of the Foreign Commercial Service, ITA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Privacy Act Officer, Office of Management and Systems, ITA, Room 3102, U.S. Department of Commerce, Washington, D.C. 20230. Requester should provide his name pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, and supervisors of those individuals.

COMMERCE/IATC-1

System name: Auditor Trainee Registrants—COMMERCE/IATC-1.

System location: Office of Administrative Services, Records Management Division, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals who had registered as an enrollee at the Interagency Auditor Training Center.

Categories of records in the system: Name; date of birth; social security number; phone; address; occupation; position; grade level; and education.

Authority for maintenance of the system: Government Employees Training Act of 1958; Executive Order 11348, April 20, 1976; and Intergovernmental Cooperation Act of 1968 (Pub.L. 90-557).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5 and 9-13 of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by name and year of attendance.

Safeguards: Records are located in secured premises with access limited to those whose official duties require access.

Retention and disposal: Records will be disposed of in accordance with the Office's Records Control Schedule.

System manager(s) and address:

Director, Office of Administrative Services, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure:

Information may be obtained from: address same as above. Requester should provide name and dates of attendance pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Director, Office of Organization and Management Systems, OS, Department of Commerce, Washington, D.C. 20230.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/MBDA-1

System name: Descriptive Data Questionnaire—COMMERCE/MBDA-1

System location: James H. Lowry and Associates, Suite 1340, 303 East Wacker Drive, Chicago, Illinois 60601.

Categories of individuals covered by the system: Students and business managers and entrepreneurs surveyed on a voluntary basis as part of the study of business management development needs of minorities.

Categories of records in the system: Age, sex, ethnic origin, education, company data, assessment of career and goals, organizational affiliation(s), personal performance evaluation, opinions of career opportunities/impediments.

Authority for maintenance of the system: Executive Order 11625.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The James H. Lowry Associates, specifically the Project Manager and an administrative staffer, will use this information to identify those areas which MBDA's business management development program should address.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy in file folders for 60 days; then converted to magnetic tape.

Retrievability: By site code.

Safeguards: Records are located in company vault with access limited to those whose official duties require access. Only two James H. Lowry and Associates employees will have access.

Retention and disposal: Survey information will be destroyed September 30, 1982.

System manager(s) and address: Assistant Director for Planning, Budget and Evaluation, MBDA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from Deputy Chief Counsel, MBDA, U.S. Department of Commerce, Washington, D.C. 20230.

Record access procedures: Requests from individuals should be addressed to same address as stated in the Notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information.

COMMERCE/NBS-1

System name:

NBS Guest Workers—COMMERCE/NBS-1

System location:

Personnel Division, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system:

Guest workers pursuing individual scientific or technical projects.

Categories of records in the system:

Agreement between NBS and guest worker; name; citizenship; social security number; supervisor; arrival and departure dates; date of security assurance; conditions; and facilities to be made available.

Authority for maintenance of the system:

27 Stat. 395 and 31 Stat. 1039.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-10 and 13 in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal:

The records are disposed 5 years after guest worker terminates.

System manager(s) and address:

Personnel Officer, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure:

Information may be obtained from: Deputy Director of Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name and approximate date of affiliation, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, and operating officials making the facilities available.

COMMERCE/NBS-2

System name:

Inventors of Energy-Related Processes and Devices—COMMERCE/NBS-2.

System location:

Office of Energy-Related Inventions, National Engineering Laboratory, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system:

Inventors submitting ideas for evaluation by NBS.

Categories of records in the system:

Name, address, and telephone number of the persons submitting ideas or inventions for evaluation.

Authority for maintenance of the system:

88 Stat. 1894.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In addition to the routine use paragraphs 1-10 and 13 in the Prefatory Statement, the information is used in correspondence with the inventor or person submitting the invention for evaluation and submitter-designated interested third parties, in the evaluation of technical and commercial feasibility, in reports to the Department of Energy, and in development of statistical and analytical data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine-readable.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets; access to all files is restricted to those persons requiring access for evaluation or administrative purposes and who have permission pursuant to a written contract or agreement with NBS, or have written authorization of the legal advisor; an exception to this would be a valid request made under the Freedom of Information Act for information that is not (1) a trade secret or (2) commercial or financial information that is privileged or confidential and therefore falling within the exemption set out in the Act, 5 U.S.C 552(b)(4).

Retention and disposal:

Currently all records are retained indifinitely.

System manager(s) and address:

Chief, Office of Energy-Related Inventions, National Engineering Laboratory, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure:

Information may be obtained from: Deputy Director of Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name and additional factual data as appropriate, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/NBS-3

System name: Research Associates—COMMERCE/NBS-3.

System location: Office of the Director, Administration Building, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system: Research Associates.

Categories of records in the system: Personal history statement, conflict of interest statement.

Authority for maintenance of the system: 27 Stat. 395 and 31 Stat. 1039.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1-5, 9, and 13 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable file cabinets with access limited to those whose official duties require access.

Retention and disposal: Records are transferred from an active to terminated section of the files at conclusion of individual's service as a research associate and are retained in accordance with the unit's Records Control Schedule.

System manager(s) and address: Industrial Liaison Officer, Office of the Director, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Deputy Director of Administration, Room 1105, Administration Bldg., National Bureau of Standards, Washington, D.C. 20234. Requester should provide name and approximate date of affiliation, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information.

COMMERCE/NBS-4

System name: Employees External Radiation Exposure Records—COMMERCE/NBS-4.

System location: Health Physics, Occupational Health and Safety Division, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system: Individuals working with radioactive materials and machines who may be exposed to ionizing radiation.

Categories of records in the system: Name, social security number, date of birth, organizational unit, and amount of radiation received.

Authority for maintenance of the system: 42 U.S.C. 2201 and 68 Stat. 950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1, 3, 4, 5, 6, and 9 in the Prefatory Statement. Also, film from badges is sent monthly to the U.S. Army for determination of amount of radiation exposure.

Information involving exposure levels, incidents, and amounts of overexposure is required to be submitted to the Nuclear Regulatory Commission. In the event of serious overexposure, information would be disclosed to the Bethesda (Maryland) Naval Medical Center, employee's family physician, and other appropriate medical authorities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, film, and/or machine-readable.

Retrievability: Filed alphabetically by name.

Safeguards: Manual records are located in lockable metal file cabinets with access limited to those whose official duties require access. Machine-readable records are accessible only with terminals under the administrative control of the Health Physics Unit of the Occupational Health and Safety Division.

Retention and disposal: Currently, records are retained indefinitely.

System manager(s) and address: Chief, Health Physics, Occupational Health and Safety Division, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Deputy Director, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name, social security number, and date of employment, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rule for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories: :

Subject individuals and U.S. Army.

COMMERCE/NBS-5

System name:

Nuclear Reactor Operator Licensees File—COMMERCE/NBS-5.

System location:

Reactor Radiation Division, National Measurement Laboratory, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system:

NBS employees who are licensed as Nuclear Reactor Operators, those whose applications for licenses are being processed, and those whose licenses have expired.

Categories of records in the system:

These records contain information relating to the application for a Nuclear Reactor Operator's license, certification of competency, certification of medical history, results of medical examination and related correspondence, reactor operator examination and examination results, records of training, and license or denial letter.

Authority for maintenance of the system:

Sections 107, 161(i), Atomic Energy Act of 1954 as amended, 42 U.S.C. 2137, and 2021(i), 15 U.S.C. 272.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be disclosed: To the Nuclear Regulatory Commission for the purpose of conducting audits of the qualifications of reactor operators. Also see routine use paragraphs 1-6 and 9-13 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are maintained in a locked filing cabinet in a limited access building.

Retention and disposal: All records relating to an individual's license and documentation for license including requalification requirements will be retained as long as is required by the Reactor License and will thereafter either be turned over to the individual concerned or destroyed.

System manager(s) and address:

Chief, Reactor Radiation Division, National Measurement Laboratory, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure:

Information may be obtained from: Deputy Director of Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name and additional factual data as appropriate, pursuant to the inquiry provisions of the Department's rules, which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be adressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, licensed physician, employees of the Reactor Radiation Division, and those authorized by the subject individual to supply information.

COMMERCE/NBS-6

System name: Participants in Experiments, Studies, and Surveys—COMMERCE/NBS-6.

System location: Portions of the system may be located with contractors involved in the experiments, studies, or surveys, or in any one of the following locations:

National Measurement Laboratory, Room B364, Materials Bldg., NBS, Washington, D.C. 20234; Room R4011, NBS, Boulder, CO 80302;

National Engineering Laboratory, Room B117, Technology Bldg., NBS, Washington, D.C. 20234.

Institute for Computer Sciences and Technology, Room A200, Administration Bldg., NBS, Washington, D.C. 20234.

For those portions located with contractors, a complete list of contractors and addresses is available from the Deputy Director for Information Systems, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system: Individuals who have voluntarily applied to serve or who have served as participants in socio-economic, technical, or psychological experiments, studies and surveys undertaken in furtherance of authorized research activities.

Categories of records in the system: Name, age, birth date, place of birth, sex, race, home address and telephone number, business address and telephone number, education, income, occupation, family size and composition, patterns of product use, drug sensitivity data, medical, dental and physical history information, and such other information as is necessary, to be determined by the subject matter and purpose of the experiment, study or survey, including data derived from participants' responses during the course of the authorized research.

Authority for maintenance of the system: 15 U.S.C. 271 et. seq.; 29 U.S.C. 651 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the system may, on occasion, be disclosed to Federal agencies and other outside organizations which have sponsored the research in connection with which the data were obtained. General routine use paragraphs 5, 9, and 13 of the Prefatory Statement also apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, electromagnetic storage material and microform.

Retrievability: Filed alphabetically by name, or control number or other code identifier.

Safeguards: During business hours the records at NBS sites are maintained in a secured building with access limited to those whose official duties require access; during non-business hours, the records are in secured rooms with access controlled by security guards. Any records maintained by contractors will be maintained in similar fashion in accordance with contractual specifications.

Retention and disposal: Retained in accord with NBS's records control schedule.

System manager(s) and address: Director, National Engineering Laboratory, Room B117, Technology Bldg., NBS, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name, approximate date, and title of experiment, study or survey pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and for appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/NBS-7

System name:

NBS Emergency Locator System—COMMERCE/NBS-7.

System location:

National Bureau of Standards, Gaithersburg, Maryland: Physical Security Office, Fire Protection Service Office, Health Physics Unit Office; National Bureau of Standards, Boulder, Colorado: Guard Office, Deputy Security Office, homes of Department of Commerce management officials having overall responsibility for the protection of personnel, buildings, and equipment.

Categories of individuals covered by the system:

NBS employees and other individuals utilizing NBS facilities.

Categories of records in the system:

Names and home telephone numbers.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 278e, 40 U.S.C. 490(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Home telephone numbers will be used by the Department of Commerce staff to contact NBS employees or individuals using NBS facilities in the case of an emergency (e.g., fire, explosion, power outage, heavy snow). Those contacted will typically be scientists or engineers whose experiments might be affected by such an emergency or other employees who will be required to deal with the emergency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine-readable.

Retrievability:

Building and room number; organizational code.

Safeguards:

Paper records will be kept in lockable file cabinets with limited access; machine-readable records will have limited access with security key required.

Retention and disposal:

Records will be updated every 6 months or more frequently.

System manager(s) and address:

Chief, Facilities Services Division, Office of the Director of Administrative and Information Systems, NBS, Washington, D.C. 20234; Staff Services Officer, Boulder Executive Office, Radio Building, Room 4011, NBS, Boulder, Colorado 80303.

Notification procedure:

Information may be obtained from: Deputy Director of Administration, Room A1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requester should provide name and building location or organizational unit.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and for appealing initial determinations by the individual concerned appear at 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/NOAA-1

System name: Applicants for the NOAA Corps—Commerce/NOAA-1.

System location: Office of the Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system: Applicants for appointment in the NOAA Corps.

Categories of records in the system: Name, social security number, letters of reference, physical examinations, college transcripts, statements of prior military service, recruiting officer's appraisal, personal resumes, and similar data necessary to be considered for a commission in the NOAA Corps.

Authority for maintenance of the system: 33 U.S.C. 853i; 853j; 853j-1; 853t; 854; 854a-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement. General routine use No.12 does not apply. Also to respond to the applicant, Members of Congress, or others with a valid interest who may inquire as to the status of the application or who may request reconsideration of a rejected application.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are maintained in secured room. Access only on the authority of the Director, NOAA Corps or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal: Destroyed after approximately six months if rejected, unless applicant indicates a desire for reconsideration.

System manager(s) and address: Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name, address, social security number, and date of birth, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals, personal references, the NOAA Corps officer who recruited the individual, and those authorized by the individual to furnish information.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine applicant's suitability for employment in the NOAA Corps.

COMMERCE/NOAA-2

System name: Commissioned Officers Official Travel Orders Folders—COMMERCE/NOAA-2.

System location: Office of the Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system: Commissioned officers of the NOAA Corps (active, retired, and deceased) and former officers separated within previous six months.

Categories of records in the system: Name, grade, social security number, estimated travel cost, dates of transfer, assignment locations, and type of duty.

Authority for maintenance of the system: 37 U.S.C.; 33 U.S.C. 857-5, 857a, 855

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefactory Statement. General Routine uses No.6 and No.12 do not apply. Also the record is sent to the organization to which officer is assigned such as branches of the U.S. Military service, branches of foreign military services, World Weather Organization, etc., to authorize travel and travel allowances and to effect assignments and assignment changes for commissioned officers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are maintained in a locked space. Access only on the authority of the Director, NOAA Corps, or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal: Retained as separate file on all active duty officers. Incorporated into the Official Personnel File of retired and deceased officers and retained. Incorporated into the Official Personnel File of separated officers and after six months transferred to the National Personnel Records Center, St. Louis, Missouri 63118.

System manager(s) and address: Director, NOAA Corps, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide full name, social security number, date of birth, and dates of service, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual's Official Personnel Record and from the approved recommendations of the Officer Assignment Board.

COMMERCE/NOAA-3

System name:

Commissioned Officer Official Personnel Folders—COMMERCE/NOAA-3.

System location:

Office of the Director, NOAA Corps (NC), National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system:

Commissioned Officers of the NOAA Corps (active, retired, and deceased) and former commissioned officers separated within previous six months.

Categories of records in the system:

Name, social security number; selective service number; promotion history; history of assignments; performance evaluations; date of birth; education; prior employment history; prior uniformed service;

pay and allowance data relatives; references; commendations; discipline; insurance; medical evaluations; and similar personal information.

Authority for maintenance of the system:

33 U.S.C. 853a-t, 854a-2, 855, 856, 857, 857-1-5 857a, 858, 864, 865, 872, 873, 874, 875, 876; 5 U.S.C. 301; 28 U.S.C. 533-535; 44 U.S.C. 3101; and, E.O. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs of the Prefatory Statement. Users are Selective Service System Veteran's Administration, Federal Housing Administration, Social Security Administation, Public Health Service, Department of Defense elements, Taxing authorities (Federal, State and local), unemployment compensation authorities, and the organization to which officer is assigned such as branches of U.S. Military Service, branches of foreign military services, World W ather Organizations, etc.

Selected information is disseminated to determine eligibility for retention, promotion, retirement, separation, and other personnel actions: physical fitness; entitlement to pay and various allowances; report taxes withheld; entitlement to social security benefits, Veteran's benefits, unemployment compensation, waivers for repayment of student loans, death benefits, survivor benefits, and FHA in-service loans; assignments; and selective service status.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders (selected data elements in this system are duplicated on word processing equipment for ease of retrieval).

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are maintained in secured area. Access only on the authority of the Director, NOAA Corps or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal:

Records are retained indefinitely on active, retired, and deceased officers; discharged officers' records are retained for approximately 6 months, then transferred to the National Personnel Records Center, St. Louis, Missouri 63118.

System manager(s) and address:

Director, NOAA Corps, see above address.

Notification procedure:

Information may be obtained from: Director, Office of Administration, NOAA, Room 6863, Herbert C. Hoover Building, Washington, DC 20230.

Requester should provide name, address, social security number, and date of birth pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individuals concerned appear in 15 CFR Part 4. Use above address.

Record source categories:

Subject individual, official correspondence and forms generated by routine personnel actions previous employers, prior military service, Selective Service System, Federal Housing Administration, Social Security Administration, and similar sources.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5), is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine employee's suitability for employment in the NOAA Corps.

COMMERCE/NOAA-4

System name: Commissioned Officers Retired Payroll—COMMERCE/NOAA-4.

System location: Office of the Director, NOAA Corps, NOAA, Rockville, Md. 20852.

Categories of individuals covered by the system: Commissioned officers of the NOAA Corps who are entitled to retired pay, and the survivors of deceased active duty and retired officers who are entitled to a survivor's annuity.

Categories of records in the system: Name, social security number; amount of gross retired pay or survival annuity; amount of federal income tax withheld; amount of VA reduction; amount of survivor benefit cost deducted; miscellaneous deductions; and net retired pay or annuity.

Authority for maintenance of the system: 33 U.S.C. 853a-h; 853j-1-t; 854a-2; 856; 857-2; 857-5; 872; 873. Authorities for Payroll Records: 5 U.S.C. 301; 552; Chap. 55; 31 U.S.C. 550; 628; 31 U.S.C. 52; 15 U.S.C. 1511; 37 U.S.C. 201 (Pay for Commissioned Officers); 5 App. Reorg. Plan No. 4 of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual, flat-paper computer print-out.

Retrievability: Filed by month and year.

Safeguards: Records are maintained in a secured area. Access only by authority of the Director, NOAA Corps or the Chief, Program Planning, Liaison and Training Division.

Retention and disposal: Retained 3 years and then destroyed.

System manager(s) and address: Director, NOAA Corps, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide full name, grade, social security number and branch of service pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Information is a print-out from the computerized retired pay system maintained by the Commanding Officer, U.S. Navy Finance Center, 240 East Ninth Street, Cleveland, Ohio 44199, who maintains, under contract, the pay accounts of retired NOAA Corps officers and their annuitants.

COMMERCE/NOAA—5

System name:

Fisheries Law Enforcement Case Files—COMMERCE/NOAA—5.

System location:

Enforcement Office, NMFS, 1825 Connecticut Avenue, NW., National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, DC 20235; and the Office of General Counsel, Southeast Regional Counsel, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., Suite 102, St. Petersburg, Fl 33702.

Categories of individuals covered by the system:

Violators and alleged violators of the criminal and/or civil provisions of certain laws (listed in the Authority Section of this notice) and the regulations issued thereunder, within the responsibility of the Secretary of Commerce.

Categories of records in the system:

1. Information compiled for the purpose of identifying individual criminal and/or civil offenders and alleged offenders and consisting of identifying data and notations of arrests, the nature and disposition of criminal or civil charges, sentencing, confinement, release, parole and probation status, and fines and penalties assessed;
2. Information compiled for the purpose of a criminal or civil investigation, including reports of informants and investigators, and associated with an identifiable individual;
3. Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal and civil laws from arrest or indictment through release from supervision, and the imposition of civil sanctions through administrative and/or judicial process; and
4. Investigatory material compiled for law enforcement purposes other than the material covered above.

Authority for maintenance of the system:

Reorganization Plan No. 4 of 1970; 5 U.S.C. 301; 28 U.S.C. 533–535; 44 U.S.C. 3101; E.0.10450; certain sections of Titles 15, 16, 18, and 22 of the United States Code; and relevant treaty, international convention, and/or agreements of which there are approximately 20 (Example: International Convention for the Regulation of Whaling (TIAS 1849) cf. 16 U.S.C. 916).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is given to the Marine Mammal Commission for its use in making recommendations on the issuance of permits and the award of grants under the Marine Mammal Protection Act of 1972.

2. Disclosure may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent penalties as authorized by the Debt Collection Act (31 U.S.C. 3718).

3. Other routine uses for this system are identified at paragraphs 1–5, 8–10, and 13 of the Prefatory Statement.

Disclosure to consumer reporting agencies:

Pursuant to the Privacy Act, 5 U.S.C. 552a(b)(12), disclosures may be made to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f), or the Federal Claims Collection Act of 1966 (3 U.S.C. 3701(a)(31)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Both manual and machine-readable, and computer output records in file folders.

Retrievability:

Filed alphabetically by individual's name or by an identifying case number upon initiation of the case.

Safeguards:

Employees are informed of the Departmental rules of conduct regarding unauthorized disclosure of information contained in official records. All Special Agents receive a security clearance, granted by the Department of Commerce, after an investigation. The files of the Law Enforcement Division that relate to information concerning an identifiable individual are maintained in locked, metal file cabinets. The files of the Southeast Regional Counsel are maintained in metal locked file cabinets. Automated records are maintained on premises with access limited to those whose official duties require access.

Retention and disposal:

All records of this Division are subject to the retention and disposal procedures set forth in NOAA Directives Manual 62–10, et seq.

System manager(s) and address:

Chief, Enforcement Office, National Marine Fisheries Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1825 Connecticut Avenue, NW., Washington, DC 20235.

Southeast Regional Counsel, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 9450 Koger Blvd., Suite 102, St. Petersburg, FL 33702.

Notification procedure:

Information may be obtained from: Acting Director, Office of Administration, NOAA, Room H6863, Washington, DC 20230.

Requester should provide name, address, and case number pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information; NMFS investigators; Federal and state law enforcement personnel; foreign governments; special interest organizations, members of the general public, and all information sources that are open to the public at large.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(j)(2), all information about an individual in the record which meets the criteria stated in the Act: 5 U.S.C. 552a(j)(2) are exempted from the notice, access and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c) (1) and (2), (e)(4)(A) through (F), (e) (6), (7), (9), (10), and (11), and (i), and pursuant to 5 U.S.C. 552a(k)(2), on condition that if the 5 U.S.C. 552a(j)(2) exemption is held to be invalid, all investigatory material in the record which meet the criteria stated in 5 U.S.C. 552a(k)(2) are exempted from the notice access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish this law enforcement function of the agency, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel. In addition, pursuant to 5 U.S.C. 552a(k)(1), all materials qualifying for this exemption are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and (f) in order to prevent disclosure of classified information as required by Executive Order 12065 in the interest of the national defense and foreign policy.

COMMERCE/NOAA–6

System name: Fishermen's Statistical Data—COMMERCE/NOAA–6.

System location: Data Management and Information Systems Division, NMFS, NOAA, U.S. Department of Commerce, 3300 Whitehaven Street, NW., Washington, D.C. 20235; and the following field locations of the National Marine Fisheries Services:

Northeast Fisheries Center, Woods Hole, Massachusetts 02543
Southeast Fisheries Center, 75 Virginia Beach Drive, Miama, Florida 33149
Southwest Fisheries Center, P.O. Box 271, LaJolla, California 92038
Northwest and Alaska Fisheries Center, 2725 Montlake Boulevard, East, Seattle, Washington 98112
Northeast Regional Office, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930
Southeast Regional Office, 9450 Gandy Boulevard, St. Petersburg, Florida 33702
Southwest Regional Office, 300 South Ferry Street, Terminal Island, California 90731
Northwest Regional Office, 1700 Westlake Avenue, North, Seattle, Washington 98105
Alaska Regional Office, P.O. Box 1668, Juneau, Alaska 99802

Categories of individuals covered by the system: Marine recreational and commercial fishermen, owners/operators of registered/documented boats and vessels.

Categories of records in the system: a. Marine recreational fishermen catches by species, length, weight, area of capture, disposition of catch, and expenses and other trip records.

b. Fishery Management Plan data consist of such data as: Individual's name, address, telephone number, sex, age group, and income group, obtained in fishing censuses. Other data contain boat and vessel registration information, including owner and operator, vessel characteristics, gear types, and area fished.

Authority for maintenance of the system: a. Fish and Wildlife Act as amended (16 U.S.C. 742 et seq.). b. Fishery Conservation and Management Act of 1976 as amended (16 U.S.C. 1852).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. See routine use paragraphs 1–5, 9, and 12 of the Prefatory Statement.

b. Data in the system are required for the development and monitoring of fishery management plans.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy, punch cards, mag-tape, and disc files.

Retrievability: Filed alphabetically by name.

Safeguards: Personnel indoctrination and screening, secured offices, and entrance into the computer system to obtain individual records would require detailed knowledge of in-house ADP procedures by a skilled computer programmer.

Retention and disposal: Records are permanently maintained.

System manager(s) and address: Executive Director, National Marine Fisheries Service, 3300 Whitehaven Street, Washington, D.C. 20235.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals.

COMMERCE/NOAA-7

System name: Guest Workers at National Geophysical and Solar-Terrestrial Data Center—COMMERCE/NOAA-7.

System location: National Geophysical and Solar-Terrestrial Data Center, EDS/NOAA, RB3, Room A123, Boulder, Colorado 80302.

Categories of individuals covered by the system: People that are visiting NGSDC as Guest Workers to use the data files.

Categories of records in the system: Name; address; length of visit; type of work they are doing; and education.

Authority for maintenance of the system: 5 U.S.C. 301 and 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs 1-5, 9, and 12 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in metal file cabinets which are locked after hours. Access is limited to those whose official duties require access.

Retention and disposal: Records are retained for 3 years.

System manager(s) and address: Administrative Officer, NGSDC, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, NOAA, 6010 Executive Blvd., Rockville, Maryland 20852. Requester should provide name pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information.

COMMERCE/NOAA-8

System name:

Individuals Engaged in Weather Modification Activities, COMMERCE/NOAA-8.

System location:

Assistant Administrator for Oceanic and Atmospheric Research, NOAA, U.S. Department of Commerce, 6010 Executive Boulevard, Rockville, Md. 20852.

Categories of individuals covered by the system:

Individuals and associations involved in weather modification operations.

Categories of records in the system:

Individual's name and address; type of weather modification activity; location and duration of project; and equipment used.

Authority for maintenance of the system:

Pub. L. 92-205; 15 CFR Part 908.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs in the Prefatory Statement. Also information is made available to anyone who so requests to comply with Pub. L. 92-205.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Electronic data base.

Retrievability:

Filed sequentially by name.

Safeguards:

Records are located on an electronic data base with full public access upon request to comply with Pub. L. 92-205.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Office of the Director, Office of Weather Modification, see above address.

Notification procedure:

Information may be obtained from: Director, Office of Administration, NOAA, Room 6863, Herbert C. Hoover Building, Washington, DC 20230. Requester should provide name, address, date(s) of project etc., pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual or association involved and those authorized by the foregoing to furnish information.

COMMERCE/NOAA-9

System name: Scientist-Researchers in GATE (Global Atmospheric Research Program Atlantic Tropical Experiment)—COMMERCE/NOAA-9.

System location: Assistant Administrator for Research and Development, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852.

Categories of individuals covered by the system: Research meteorologists and ocean scientists participating in the Global Atmospheric Research Program Atlantic Tropical Experiment (GATE).

Categories of records in the system: Names of individual scientists; their research institutions and research programs; and their addresses.

Authority for maintenance of the system: Ministerial requirement necessitated by NOAA's appointment, as lead agency for the U.S. participation in "GATE"; Presidential memorandum dated July 5, 1968 to DOC; 5 U.S.C. 301; and 44 U.S.C 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5, 9, 12, and 13 of the Prefatory Statement. Data is also used to summarize and evaluate the U.S. GATE Research Program for the World Meteorological Organization in cooperation into the International summary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by name of principal scientist.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secure premises with access limited to those whose official duties require access.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Director, GATE Project Office, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, NOAA, 6010 Executive Blvd., Rockville, Maryland 20852. Requester should provide—name and address, etc., pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and those authorized by the individual to furnish information.

COMMERCE/NOAA-10

System name: NOAA Diving Program File—COMMERCE/NOAA-10.

System location: a. NOAA Diving Office, 11400 Rockville Pike, Rockville, Maryland 20852.

b. For Atlantic Marine Center personnel, duplicate records are maintained at the Atlantic Marine Center, 439 West York Street, Norfolk, Virginia 23510.

c. For Pacific Marine Center personnel, duplicate records are maintained at the Pacific Marine Center, 1801 Fairview Avenue, East, Seattle, Washington 98102.

Categories of individuals covered by the system: Applicants for the diving program and NOAA employees who are NOAA Certified Divers.

Categories of records in the system: Diving physical examinations, verification of completed scuba instruction, NOAA scuba diving written examination, diver resume, diver evaluations, letters of certification and/or appointment, monthly diving logs, individual correspondence.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101; 16 U.S.C. 1432; 33 U.S.C. 1441, 1442.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs numbered 1 through 6, 8 through 10, and 12 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine readable.

Retrievability: Alphabetically by surname.

Safeguards: Records are located in locked metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Five years after termination of diver.

System manager(s) and address: For records at location a.: NOAA Diving Coordinator, 6001 Executive Boulevard, Rockville, Maryland 20852.

For records at location b.: CAM Diving Officer, Atlantic Marine Center, 439 W. York Street, Norfolk, Virginia 23510.

For records at location c.: Budget and Finance Officer, Pacific Marine Center, 1801 Fairview Avenue, East, Seattle, Washington 98102.

Notification procedure: Information may be obtained from: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard Rockville, Maryland 20852. Requestor should provide name and address pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, the Unit Diving Officer, training officers and NOAA Diving Medical Review Board.

COMMERCE/NOAA-11

System name:

NOAA Mailing Lists—COMMERCE/NOAA-11

System location: Mailing lists are maintained at numerous NOAA installations throughout the United States. Addresses of major installations where there are mailing lists are:

Office of Publications, Main Commerce Building, 14th Street
and Constitution Avenue, NW., Washington, D.C. 20230.

Headquarters:

Assistant Administrator for Management and Budget, 6010
Executive Boulevard, Rockville, Maryland 20852.
Director, Office of Finance, North Bethesda Office Center,
11420 Rockville Pike, Rockville, Maryland 20852.

Assistant Administrator for Fisheries:

Assistant Administrator for Fisheries, Office of Fisheries, 3300
Whitehaven Street, NW., Washington, D.C. 20235.

Director, Northwest Region, National Marine Fisheries Service,
NOAA, 1700 Westlake Avenue North, Seattle, Washington,
98109.

Director, Southeast Region, National Marine Fisheries Service,
NOAA, 9450 Koger Boulevard, St. Petersburg, Florida 33702

Director, Northeast Region, National Marine Fisheries Service,
NOAA, 14 Elm Street, Federal Building, Gloucester,
Massachusetts 01930.

Director, Southwest Region, National Marine Fisheries Service,
NOAA, 300 South Ferry Street, Terminal Island, California
90731.

Director, Alaska Region, National Marine Fisheries Service,
NOAA, P.O. Box 1668, Juneau, Alaska 99802.

Chief, Resource Statistics Division, National Marine Fisheries
Service, NOAA, 3300 Whitehaven Street, NW., Washington,
D.C. 20235.

Chief, Scientific Publications Office, National Marine Fisheries
Service, NOAA, 1107 Northeast 45th Street, Seattle,
Washington 98105.

Director, Northeast Fisheries Center, NOAA, Woods Hole,
Massachusetts 02543.
Director, Southwest Fisheries Center, NOAA, P.O. Box 271,
LaJolla, California 92038.

Director, Charleston Laboratory, NOAA, P.O. Box 12607,
Charleston, S.C. 29412.
Director, Southeast Fisheries Center, NOAA, 75 Virginia Beach
Drive, Miami, Florida 33149.

Director, Beaufort Laboratory, NOAA, P.O. Box 570, Beaufort,
North Carolina 28516.

National Ocean Survey:

Director, National Ocean Survey, 6001 Executive Boulevard,
Rockville, Maryland 20852.

Chief, Distribution Division, NOAA, Riverdale Building, 6501
Lafayette Avenue, Riverdale, Maryland 20840.

Environmental Data and Information Service:

Director, Environmental Data and Information Service, 3300
Whitehaven Street, NW., Washington, D.C. 20235.

Director, National Climatic Center, Environmental Data and
Information Service, Federal Building, Ashville, North
Carolina 28801.

Director, National Geophysical and Solar Terrestrial Center,
Research Building 3, NOAA, 3100 Marine Street, Boulder,
Colorado 80302.

National Earth Satellite Service:

National Earth Satellite Service, National Oceanic and
Atmospheric Administration, Federal Building 4, Suitland,
Maryland 20233.

A roster of each mailing list covered by the Privacy Act and its specific location is maintained by the system manager, address below.

Categories of individuals covered by the system:

Recipients of NOAA publications and/or other publicly available programmatic information.

Categories of records in the system:

All of the lists contain names and addresses. Some of the lists contain telephone numbers, subscription information, addressee's product and its country of origin.

Authority for maintenance of the system:

5 U.S.C. 301; 15 U.S.C. 1512.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs numbered 4, 5, and 9-13 in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual and machine readable.

Retrievability:

Alphabetically by name.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Records are retained indefinitely; however, individuals are advised of the existence of the mailing list annually and at their request, names will be deleted or addresses corrected.

System manager(s) and address:

Assistant Administrator for Management and Budget, 6010 Executive Boulevard, Rockville, Maryland 20852.

Notification procedure:

Information may be obtained from: Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name and address pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual.

COMMERCE/NOAA-12

System name:

Marine Mammals, Endangered and Threatened Species, Permits and Exemptions Applicants—COMMERCE/NOAA-12

System location:

Office of Marine Mammal and Endangered Species, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Duplicate portions of the system may be located in the Regional Offices of the National Marine Fisheries Service at:

Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

300 South Ferry Street, Terminal Island, California 90731.

Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109.

P.O. Box 1668, Juneau, Alaska 99801.

Categories of individuals covered by the system:

Applicants for permits to take, import, transport or sell in interstate or foreign commerce endangered species or marine mammals either for scientific research or public display purposes; for enhancement of propagation or enhancement of survival. Applicants for exemptions from the provisions of the Marine Mammal Protection Act of 1972, on the basis of undue economic hardship. Applicants for permits to engage in activities involving threatened species.

Categories of records in the system:

Name and address; professional or business affiliation; educational and professional background; other qualifications of the individuals; the activities conducted by an individual as authorized by exemption or by permit; and economic and financial information indicating the degree of anticipated economic hardship.

Authority for maintenance of the system:

Endangered Species Act of 1973; 16 U.S.C. 1531-1543 10(a), 10(b), 11(f); Marine Mammal Protection Act of 1972; 16 U.S.C. 1361-1407, and regulations (50 CFR 216.31) promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine use paragraphs 1-5 and 9-13 of Prefatory Statement. Information from the applications is published in the Federal Register and made available to the public to comply with the statutes under which the application is made.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Both manual and machine-readable, and computer output records in file folders.

Retrievability:

Filed by file number and cross-referenced alphabetically by applicant names and permit or exemption number.

Safeguards:

Records are located in cabinets with full public access upon request.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address: Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235

Notification procedure:

Information may be obtained from the Assistant Administrator for Management and Budget, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name and address pursuant to to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification procedure section above.

Contesting record procedures:

The rules for access, for contesting contents and appealing initial determination by the individuals concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual applicants; public comments on an application; reviews by NMFS Offices and, in the case of marine mammals, the Marine Mammal Commission; reports from Federal agents and observers on activities conducted under permit authority; and those authorized by the individual to provide the information.

COMMERCE/NOAA-13

System name:

Personnel, Payroll, Travel, and Attendance Records of the Regional Fishery Management Councils—COMMERCE NOAA-13.

System location:

New England Fishery Management Council, Office of the Executive Director, Suntaug Office Park, Five Broadway—Route One, Saugus, Massachusetts 01906.

Mid-Atlantic Fishery Management Council, Office of the Executive Director, Federal Building, Room 2115, North and New Streets, Dover, Delaware 19901.

South Atlantic Fishery Management Council, Office of the Executive Director, Southpark Building, Suite 306, 1 Southpark Circle, Charleston, South Carolina 29407.

Caribbean Fishery Management Council, Office of the Executive Director, Suite 806, Banco de Ponce Building, (Postal Address), P.O. Box 1001, Hato Rey, Puerto Rico.

Gulf of Mexico Fishery Management Council, Office fo the Executive Director, Lincoln Center, Suite 881, 5401 West Kennedy Boulevard, Tampa, Florida 33609.

Pacific Fishery Management Council, Office of the Executive Director, 528 S.W. Mill Street, Portland, Oregon 97201.

North Pacific Fishery Management Council, Office of the Executive Director, Suite 32, 333 West Fourth Avenue, (Postal Address), P.O. Box 3136DT, Anchorage, Alaska 99501.

Western Pacific Fishery Management Council, Office of the Executive Director, Room 1506, 1164 Bishop Street, Honolulu, Hawaii 96813.

Categories of individuals covered by the system: Members of each Regional Fishery Management Council, members of each Council's Scientific and Statistical Committee, members of each Council's Advisory Panel; each Council's staff.

Categories of records in the system: a. Personnel information including but not limited to name, birthdate, social security number, employment history, education and training, personnel actions and performance appraisals, records relating to life insurance, health benefits, and designation of beneficiary, medical records.

b. Payroll information including but not limited to marital status, mailing address, number of dependents, allotments and deductions for income tax withholding, savings bonds, charity contributions, and insurance premiums.

c. Travel orders and vouchers including data such as destination, itinerary, mode and purpose of travel, expense incurred.

d. Time and attendance data including number of regular, overtime holiday, Sunday, and other hours worked; number of hours on leave (sick, annual, holiday, etc.).

Authority for maintenance of the system: Fishery Conservation and Management Act of 1976 (Pub.L. 94-265, 16 U.S.C. 1852).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used as indicated below:

a. See routine use paragraphs in Prefatory Statement 1-5, 9, 12 and 13 in Prefatory Statement.

b. When an individual to whom a record pertains dies, information in the individual's record may be disclosed to the person appointed as representative of the estate, to the person designated by the representative, or to a designated beneficiary. When a representative of the estate has not been appointed, the next of kin may be recognized as the representative of the estate.

c. Information may be disclosed to authorize payroll deductions for allotments, savings bonds, charitable contributions, union dues, health benefits and life insurance; collect indebtedness for overpayment of salary and unpaid internal revenue taxes; pay income tax obligations to the Internal Revenue Service and state and local tax authorities, as appropriate; authorize mailing or holding salary checks or savings bonds; authorize issuing of salary checks by the Treasury Department; obtain reimbursement of travel expenses for official business; report gross wages and separation information for unemployment compensation; pay any uncollected compensation due a deceased employee;and provide for a summary of employees payroll data and retirement contributions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and magnetic storage media.

Retrievability: Alphabetically by name, or by social security number.

Safeguards: Physical, technical, and administrative sedcurity is maintained, with all storage equipment and/or rooms locked when not in use. Admittance is restricted to authorized personnel only. All payroll personnel, computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Retained on site until after GAO audit, then either disposed of or transferred to Federal Records Storage Centers in accordance with the fiscal records program approval by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address: The Executive Director of each Council; address as shown under system location above.

Notification procedure: Information may be obtained from: The Executive Director of the appropriate Regional Fishery Management Council or the Assistant Administrator for Management and Budget, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name and other identifying information pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals, those authorized by the individual to furnish information; employee's supervior; timekeepers.

COMMERCE/NTIA-1

System name: Radio Spectrum Management Career Development Program—COMMERCE/NTIA-1.

System location: National Telecommunications and Information Administration, 1325 G Street, NW, Washington, D.C. 20005 (paper); and 179 Admiral Cochrane Drive, Annapolis, Maryland 21401 (magnetic disc).

Categories of individuals covered by the system: Applicants for spectrum management career training; persons trained or training in the program; persons employed in the Federal spectrum management field, or seeking employment therein, who register with the program.

Categories of records in the system: Employee Career Appraisals; Career Program Qualification Records and Supplements thereto; Career Plans; Personal Qualification Statements; Federal Employment Application. These records contain information about an individual and his skills and qualifications for training which typically includes, but is not limited to, name, address, date of birth, Social Security Account Number, education, military experience, present position, employment history, performance evaluations, and career goals.

Authority for maintenance of the system: 47 U.S.C. 305, Executive Order 12046 and Reorganization Plan No. 1 of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is disclosed to participating Federal agencies upon their request in connection with the selection of candidates for training, the evaluation of trainees, and in the administration of the training program. Information is disclosed to other Federal agencies upon their request in connection with the availability of trained spectrum managers for employment. Routine uses Nos.1-5 and Nos.8-13 of the Prefatory Statement also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Stored alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Unless updated, documents are disposed of after two years.

System manager(s) and address: Coordinator, Radio Spectrum Management Career Development Program, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20504.

Notification procedure: Information may be obtained from: Privacy Officer, National Telecommunications and Information Administration, U.S. Department of Commerce, Washington, D.C. 20504. Requestor should provide his or her full name.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use address in Notification section, above.

Record source categories:

Applicants for spectrum management career training; trainees in the program; instructors and other officials conducting the program; Federal government employees in the spectrum management field, and persons desiring such employment, who register with the program, their supervisors, and other officials of the agencies that employ them.

COMMERCE/NTIS-1

System name:

Individuals interested in NTIS Publications, Shipped Order Addresses, Customer Account Records, and Subscriber Files—COMMERCE/NTIS-1.

System location:

Automated Data Processing Division and Document Distribution and Reproduction Division, Office of Computer and Communications Service and Document Services Division, NTIS, 5285 Port Royal Road, Springfield, Virginia 22161.

Categories of individuals covered by the system:

All individuals who order and/or purchase products and services from NTIS and all individuals who have requested (that they be placed on the NTIS promotional mailing list) NTIS promotional literature.

Categories of records in the system:

Name; address; nine-digit taxpayer identification number; items ordered; items sent; amount of purchases, date order received; date order mailed; NTIS deposit account or customer code number; total charge to date; whether account collectible or not; categories of publications ordered by each purchaser; when subscription expired; amount of deposit.

Authority for maintenance of the system:

15 U.S.C. 1151-57; 41 U.S.C. 104, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records maintained in the system are disclosed to NTIS sales agents; and to individuals, organizations, Federal agencies, and State and local governments contributing publications to NTIS for their market research and sales accounting purposes, through the mechanism of providing them the names and addresses of individuals (and others) who have purchased their publications. "Disclosure of information from this system of records may also be made to commercial contractors (debt collection agencies) for the purpose of collecting delinquent debts as authorized by the Debt Collection Act (31 U.S.C. 3718)." Also see general routine uses (1 through 6, 8 through 10, and 12 of Prefatory Statement notice in the Federal Register on October 2, 1975 (40 FR 45635), and amended on November 7, 1975 (40 FR 52074) and August 17, 1976 (41 FR 34805), 4, 5, 9 and 13 of Prefatory Statement.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), and the Federal Claims Collection Act of 1968 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, film files, magnetic tape and disc files.

Retrievability:

Filed by individual identifier such as deposit account number of credit card account number.

Safeguards:

Records are located in lockable metal file cabinets or in metal tape vaults in secured rooms or premises with access limited to those whose official duties require access. The data can also be obtained at in-house computer terminals used by those whose official NTIS duties require access.

Retention and disposal:

Records are updated regularly and maintained indefinitely.

System manager(s) and address:

Chief, (Automated Data Processing Division) Office of Computer and Communications Services, NTIS, (5285 Port Royal Road), Springfield, Virginia 22161.

Notification procedure:

Information may be obtained from: Director, Office of Administrative Management, NTIS (Sills Building), Springfield, Virginia 22161. Requester should provide name and address in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures:

The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and NTIS transaction files.

COMMERCE/PAT-TM-1

System name: Attorneys and Agents Registered to Practice Before the Office—COMMERCE/PAT-TM-1.

System location: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202, and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Attorneys and agents who are, or have been, registered to practice before the Patent and Trademark Office in patent cases, and applicants for such registration to practice.

Categories of records in the system: Biographical information, personal and professional qualifications, character and fitness reports, undertakings of former examiners, current address, and status information.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine uses Nos.1–5 and 8–13. Also, a public roster of the registered individuals is published periodically, and limited information is disseminated by Committee on Enrollment staff in response to inquiries from members of the public (e.g., potential clients), state bars, and courts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and magnetic storage media.

Retrievability: Filed alphabetically by name or registration number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Chairman, Committee on Enrollment, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name, address, and date of application, if known, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b.

Record source categories:

Subject individual, references, and those authorized by the individual to furnish information.

COMMERCE/PAT-TM-2

System name: Complaints, Investigations and Disciplinary Proceedings Relating to Registered Patent Attorneys and Agents—COMMERCE/PAT-TM-2.

System location: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Attorneys and agents registered to practice before the Patent and Trademark Office in patent cases, and disbarred or suspended attorneys and agents.

Categories of records in the system: Complaints and information obtained during investigations and quasi-judicial disciplinary proceedings.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 32.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.1–5, 8–10 and 13. Also, dissemination of information concerning the complaint, investigation, or disciplinary proceeding, by the Solicitor's staff, to the complainant, to persons who can reasonably be expected to provide information needed in connection with the complaint, investigation, or disciplinary proceeding, and, upon inquiry, to state bars and courts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name and identification data pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals, clients of same, registered attorneys and agents, witnesses in disciplinary proceedings, court opinions, and those authorized by the individual to furnish information.

COMMERCE/PAT-TM-3

System name: Employee Production Records—COMMERCE/PAT-TM-3.

System location: Office of Management and Organization, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Employees of the Patent and Trademark Office.

Categories of records in the system: Employee name and number, position and grade level, time in duty status, time on leave, duty hours distributed by task, receipt date of oldest item in processing queue, beginning and ending balances of work in process, work volumes compiled by organization and in some organizations by individuals, and comparative data on current production compared with earlier periods.

Authority for maintenance of the system: 5 U.S.C. 301 and 35 U.S.C. 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefactory Statement of General Routine Uses Nos.1-5 and 9-13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folder, microfilm and magnetic storage media.

Retrievability: Filed by organizations; cross referenced for access by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Director, Office of Management and Organization, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide employee name and number, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, those authorized by the individual to furnish information, and the individual's supervisors.

COMMERCE/PAT-TM-4

System name: Government Employee Invention Rights—COMMERCE/PAT-TM-4.

System location: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Government employees who are inventors or nongovernment employees who are joint inventors together with a government employee inventor.

Categories of records in the system: Invention rights questionnaires including information as to the inventor's employment status and his official duties and responsibilities at the time the invention was made, title determinations, appeals to the Commissioner, and petitions for reconsideration.

Authority for maintenance of the system: 35 U.S.C. 1 and 6, and E.O. 10096, dated January 23, 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See prefatory Statement of General Routine Uses Nos.1-5 and 8-13. Also, information is transferred to various Government departments and agencies in connection with determinations made as to respective property rights (or the methods of protection thereof) of Government employees and such departments and agencies in and to inventions made by such employees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name and case number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Head, Office of Government Employee Inventions, Office of the Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name (and case number, if known) pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual and their employees, and those authorized by the individual to furnish information.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(1), Government Employee Invention Rights records which relate to applications or inventions subject to a secrecy order pursuant to 35 U.S.C. 181 or are otherwise subject to security classification pursuant to E.O. 12065 or the Atomic Energy Act of 1954, are exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules, which are published in the Rules Section of this Federal Register.

COMMERCE/PAT-TM-5

System name: Non-Registered Persons Rendering Assistance to Patent Applicants—COMMERCE/PAT-TM-5.

System location: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Persons other than registered attorneys or agents who have offered or rendered, for payment, various services to inventors, patent applicants and patentees.

Categories of records in the system: Declarations of assistance received and other reports or complaints, including names and addresses, of persons rendering services, and information given and used for investigatory and law enforcement purposes.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 33; 5 U.S.C. 301; 28 U.S.C. 533-535; 44 U.S.C. 3101; and E.O. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Providing notice to patent applicants, by Solicitor's staff, regarding whether or not the persons from whom assistance was received are registered to practice before the Office. Used by Solicitor's Staff for investigative purposes. Also, see Prefatory Statement of General Routine Uses Nos.1-5, 8-10 and 13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requesters should provide name and address, and name of patent applicants, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Patent applicants who have received and paid for services by the individuals on whom the records are maintained.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2), all investigatory materials in the record which meet the criteria in 5 U.S.C. 552a(k)(2) are exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e), (1), (e)(4)(G), (H), and (I), and (f)), of the agency regulations because of the necessity to exempt this information and material in order to accomplish the law enforcement function of the agency, to prevent subjects of investigations from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel.

COMMERCE/PAT-TM-6

System name:

Parties Involved in Patent Interference Proceedings—COMMERCE/PAT-TM-6.

System location:

Board of Patent Interferences, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system:

Applicants for patent and patentees who become involved in a conflict involving the question of priority of invention.

Categories of records in the system:

All records relating to the declaration, conduct, and termination of interference proceedings, including, but not limited to: Preliminary statements, motions, testimony and settlement agreements. The data contained in the records may include information relating to the applicant's or patentee's name, age, citizenship, residence, educational and work background, physical and mental health, activities relating to conception and reduction to practice of the contested subject matter, and other matters which may arise during the conduct of the interference proceeding or in connection with any agreements made by the parties relative to the interference proceeding.

Authority for maintenance of the system:

35 U.S.C. 1, 6, 23, 24, and 135.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records relating to interferences which involve a patent are open to public inspection after an award of priority by the Board of Patent Interferences as to all parties, or, if none, after termination of the interference. Records relating to interferences which do not involve a patent are open to public inspection after the interference has terminated and one of the applications involved has issued a patent. Otherwise, information concerning these records is provided outside the Office only upon authorization of the applicants or owners of the applications or patents involved, or when necessary to carry out the provisions of any act of Congress or in such special circumstances as may be determined by the Commissioner. Copies of settlement agreements filed under 35 USC 135(c) are kept separate from other interference records if the party filing them so requests, and are made available, as provided in the statute, only to Government agencies on written request or to any person on a showing of good cause. Also see routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed by Interference Number, cross-indexed to the names of the parties.

Safeguards:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address:

Chairman, Board of Patent Interferences, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure:

Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requesters should provide name and address, and Interference Number, if known, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures:

The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Applicants for patent and patentees, the patent attorneys or agents authorized by such persons to represent them, those authorized by the applicant to furnish information, and witnessess and other parties involved in the taking of testimony.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(1), Patent Interference Proceedings records which relate to applications subject to a secrecy order pursuant to 35 U.S.C. 181 or are otherwise subject to security classification pursuant to E.O. 12065 or the Atomic Energy Act of 1954, are exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules, which appear in 15 CFR Part 4b.

COMMERCE-PAT-TM-7

System name: Patent Application Files—COMMERCE/PAT-TM-7 (Note: This notice is broken down, where indicated, into three subsystems relating to the status of the files: a. Pending; b. Abandoned; and c. Patented.)

System location: a. U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; National Underground Storage, Boyers, Pa. 16020; Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Customer Services Division, U.S. Department of Commerce, Washington, D.C. 20230; b. Abandoned Files Unit, Office Services Division, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; c. Record Branch, Patent Search Division, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of Automatic Data Processing Management, Computer Center, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Applicants for patent, including inventors, legal representatives for deceased or incapacitated inventors, and other persons authorized by law to make applications for patent.

Categories of records in the system: Oath or declaration of applicant including name, citizenship, residence, post office address and other information pertaining to the applicant's activities in connection with the invention for which a patent is sought. Statements containing various kind of information with respect to inventors who are deceased or incapacitated, or who are unavailable or unwilling to make application for patent.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 115; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Information concerning these records is provided outside the Office only upon authorization of the applicant or owner of the application or when necessary to carry out the provisions of any act of Congress or in such special circumstances as may be determined by the Commissioner, e.g. files referred for secrecy order determination under 35 U.S.C. 181. b. Same as a., except where application is referred to in a U.S. Patent, in which case the record is open to public inspection. c. Records are open to public inspection.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: All three subsystems are also subject to the routine use paragraphs No. 1–5 and No. 8–13 of the Prefatory Statement.

Storage: Paper records in file folders, microfilm and magnetic storage media.

Retrievability: Subsystems a. and b. filed by serial number, cross-indexed to name of applicant. Subsystem c. filed by patent number, cross-indexed to name of applicant.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: a. Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231; b. Director, Office of General Services, U.S. Patent and Trademark Office, Washington, D.C. 20231; c. Director, Office of Patent and Trademark Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name of applicant or patentee and Serial Number or Patent Number, if known, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appears in 15 CFR Part 4b. Use above address.

Record source categories:

The inventors or other persons who submit applications for patent and the patent attorneys or agents authorized by such inventor or other persons to represent them.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(1), Patent Applications, to the extent that they are subject to a secrecy order pursuant to 35 U.S.C. section 181 or are otherwise subject to security classification pursuant to E.O. 12065 or the Atomic Energy Act of 1954 are exempted from the notification, access and content requirements of the agency procedures (under 5 U.S.C. 552((c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules which appear in 15 CFR Part 4b.

COMMERCE/PAT-TM-8

System name: Patent Application Secrecy Order Files—COMMERCE/PAT-TM-8.

System location: Patent Examining Operation, Group 220, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Applicants including inventors, legal representatives for deceased or incapacitated inventors, and other persons authorized by law to make applications for patent.

Categories of records in the system: Identification of patent application and applicant including application serial number, filing date, title of invention, applicant's or inventor's address and addresses of applicant's duly appointed representatives.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 181 through 183.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to authorized Government agencies under 35 U.S.C. 181 for determination of the requirement for a secrecy order, and notification of the applicant or his duly appointed representative of such secrecy order. Also, see Prefatory Statement of General Routine Uses Nos.1–5, 8–10, and 13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by application serial number, cross-indexed to name of applicant.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained, and stored in a locked vault.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Director, Patent Examining Group 220, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name and social security or Patent Number, if known, pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject applicants or their representatives and authorized representatives of the Department of Energy, the Secretary of Defense, and the Chief Officer of any other department or agency of the Government designated by the President as a defense agency of the United States.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(1), these records, since they relate to determinations pertinent to secrecy orders pursuant to 35 U.S.C. 181 or to security classification pursuant to E.O. 12065 or the Atomic Energy Act of 1954 are exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules which appear in 15 CFR Part 4b.

COMMERCE/PAT-TM-9

System name: Patent Assignment Records—COMMERCE/PAT-TM-9.

System location: Office of Patent and Trademark Services, Assignment Division, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202. Patent Examining Operation Group 220, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Persons who have given or received property rights under an application for patent or a patent by means of a written instrument recorded in the Patent and Trademark Office. Deceased or incapacitated inventors and their legal representatives.

Categories of records in the system: Assignments, grants, mortgages, liens, encumbrances, licenses, and other instruments affecting title. Letters testamentary and other court certificates and orders.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 261, and E.O. 9424.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.1–5 and 8–13. Statement. Records open to the public are searched by users for the purpose of determining ownership for other property rights with respect to patents and trademarks. On the separate Government Register, records categorized as "Public" are available for public inspection; those records categorized as "Departmental" are used by duly authorized employees of Government agencies; and those records designated as "Secret" are disclosed only to persons having written authority from the head of the agency submitting the record. Assignment records relating to pending patent applications are maintained in confidence in accordance with 5 U.S.C. 122.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, microfilm reels, index card files and magnetic storage media.

Retrievability: Filed by inventor's name, application serial number, assignee's name, assignor's name, and patent number.

Safeguards: Building employs security guards. Records subject to confidence requirements are maintained in areas accessible only to authorized personnel who are properly screened, cleared and trained. Records in the Secret Portion of the Government Register are, additionally, stored in a locked vault. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Recording Officer, Assignment Division, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requesters should provide assignee's or assignor's name(s) and application serial number, if known, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Persons who have submitted written instruments to the Patent and Trademark Office for recording.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(1), assignment records which are designated "Secret" and maintained in the Government Register pursuant to E.O. 9424 are exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance with agency rules which appear in 15 CFR Part 4b.

COMMERCE/PAT-TM-10

System name: Patent Deposit Accounts System—COMMERCE/PAT-TM-10.

System location: Receipts Control Division, Office of Finance, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Registered patent attorneys and agents and other members of the public who maintain deposit accounts to pay the cost of services rendered by the Patent and Trademark Office.

Categories of records in the system: Name, address, account number, and financial transactions with the Office.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 41.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.1-5, 9-10 and 13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfilm and magnetic storage media.

Retrievability: Filed by name, account number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Director, Office of Finance, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requesters should provide name and account number in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Request from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/PAT-TM-11

System name: Patent Examiner Testimony Files—COMMERCE/PAT-TM-11.

System location: Office of the Solicitor, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Employees and former employees who have testified in person or through deposition in court actions in regard to duties performed while employed by the Patent and Trademark Office, or who have been interviewed to determine whether such testimony will be taken.

Categories of records in the system: Name, address, employment status, education, work experience, and other matters which might be raised in the course of a deposition or other testimony.

Authority for maintenance of the system: 35 U.S.C. 1 and 6; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.1-5 and 9-13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy.

Retrievability: Filed alphabetically by name.

Safeguards:

Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name and date(s) of testimony or interview, if known, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual, the individual's co-workers, and those authorized by the individual to furnish information.

COMMERCE/PAT-TM-12

System name: Patent Subscription Service System—COMMERCE/PAT-TM-12

System location: U.S. Patent and Trademark Office, Office of Patent and Trademark Services, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Individuals subscribing to copies of patents, trademarks, designs, defensive publications, and related publications issued in certain classes or subclasses.

Categories of records in the system: Name of subscriber, Deposit Account Number, address, classes or subclasses subscribed to, total number of subclasses subscribed to; and initial payment per year. Weekly listings of patent, trademark, design, defensive publication, and related publication numbers for each subscription order.

Authority for maintenance of the system: 35 U.S.C. 41; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.4-5, 9-10 and 13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On magnetic tape and computer printout.

Retrievability: Subscriber's name and account number.

Safeguards: Maintained in areas accessible only to authorized personnel in building protected by security guards nonbusiness hours.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Director of Office of Patent and Trademark Services U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name and Deposit Account Number in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals and those authorized by the individual to furnish information.

COMMERCE/PAT-TM-13

System name: Petitioners for License to File for Foreign Patents—COMMERCE/PAT-TM-13.

System location: Patent Examining Operation, Group 220, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of ADP Administration, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Petitioners for license to file a patent application in any foreign country.

Categories of records in the system: Petitioner's name, address, and description of subject matter, or, where a corresponding U.S. application has been filed, identification of applicant, application serial number, filing date, title to invention, applicant's address and addresses of applicant's duly appointed representatives.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 184.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement of General Routine Uses Nos.1-5, 8-10 and 13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copy and magnetic storage media.

Retrievability: By number assigned called P number and by serial number related to P number when additional matter is submitted in connection with a corresponding U.S. application, cross-indexed to petitioner's name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. Where information is retrievable by terminal, all safeguards appropriate to secure the ADP telecommunications system (hardware and software) are utilized.

Retention and disposal: Records retention and disposal is in accordance with the unit's Records Control Schedule.

System manager(s) and address: Director, Patent Examining Group 220, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requester should provide name and serial number or P number, if known, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individuals or their duly appointed representatives.

COMMERCE/PAT-TM-14

System name: Users of Public Search Room of the Patent and Trademark Office—COMMERCE/PAT-TM-14.

System location: Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Federal employees other than employees of the Patent and Trademark Office; employees and other representatives of commercial firms offering patent search services to the public; registered agents before the Patent and Trademark Office; and any member of the general public who uses the search room.

Categories of records in the system: Name; home address; business firm or other organizations with which affiliated, as appropriate; user pass number; registration number, if a registered agent before the Patent and Trademark Office; violations of regulations governing use of the search room; and the signature of recipients of user passes, indicating that the recipient has read the regulations governing the use of the search room.

Authority for maintenance of the system: 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed to law enforcement authorities, employers of violators of regulations governing use of the search room, and organizations with which recipients of user passes claim affiliation. Information such as home address or business affiliation, on individuals who have removed, with proper authority, patent documents from the search room but have failed to return such documents, may be used in retrieving such documents. Also, see Prefatory Statement of General Routine Uses Nos.1-5 and 9-13.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Alphabetically by name and sequentially by user pass number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained pursuant to Records Control Schedule, with periodic updating or posting of information, when appropriate and necessary.

System manager(s) and address: Director, Office of Patent and Trademark Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requesters should provide name and address and date of visit to the search room, in accordance with the inquiry provisions of the Department's rules which appear in 15 CFR Part 4b.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Use above address.

Record source categories:

Subject individual; employers; and those authorized by individual.

COMMERCE/WBO-1

System name: Talent and Experience File of Women's Business Experts—COMMERCE/WBO-1.

System location: Office of Administrative Services, U.S. Department of Commerce, 14th & E Streets and Constitution Avenue, NW, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals with whom the Task Force communicated; having knowledge of women's business operations, problems and discriminations; or having special skills which would be of assistance to the Task Force.

Categories of records in the system: Personal background data normally including name, age, address, telephone numbers, Social Security number, business and work experience, educational background, professional association memberships, publications and information on areas of expertise.

Authority for maintenance of the system: 5 U.S.C. 301; 15 U.S.C. 1512; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is disclosed to other Federal agencies upon their request to provide names and addresses of individuals who possess special skills or expertise related to the problems of women business owners. General routine uses 4, 5, 9, and 13 in the Prefatory Statement also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by individual's name.

Safeguards: Records are on premises with access limited to individuals whose official duties require access.

Retention and disposal: Retained on site for five (5) years and then disposed of in accordance with the Office of the Secretary Records Control Schedule.

System manager(s) and address: Deputy Under Secretary for Regional Affairs, Office of the Secretary, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Organization and Management Systems, U.S. Department of Commerce, Washington, D.C. 20230.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and for appealing initial determinations by the individual concerned appear in 15 CFR Part 4b. Requests from individuals should be addressed as stated in the notification section above.

Record source categories:

Subject individual; those authorized by the individual to furnish information; public reference sources; government, private and public interest organizations.

Title 15-Commerce and Foreign Trade

Subtitle A-Office of the Secretary of Commerce

PART 4b—PRIVACY ACT

Sec.
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Appendix B—Officials to receive appeals from adverse determination on correction or amendment.
Appendix C—Systems of records noticed by other agencies and applicable to records of the Department and applicability of this part thereto.
Appendix D—Facsimile of official form for inquiries and requests.

Authority: 5 U.S.C. 552a; 5 U.S.C. 553; 5 U.S.C. 552; 5 U.S.C. 301; 44 U.S.C. 3101; Reorganization Plan No. 5 of 1950.

Source: 40 FR 45621, Oct. 2, 1975; 40 FR 50662, Oct. 30, 1975; 40 FR 51168, Nov. 3, 1975, unless otherwise noted.

§ 4b.1 Purpose and scope.

(a) The purpose of this part is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93–579), particularly 5 U.S.C. 552a as added by the Act. The main objectives are to facilitate full exercise of rights conferred on individuals under the Act and to ensure the protection of privacy as to individuals on whom the Department maintains records in systems of records under the Act. The Department accepts the responsibility to act promptly and in accordance with the Act upon receipt of any inquiry, request or appeal from a citizen of the United States or an alien lawfully admitted for permanent residence into the United States, regardless of the age of the individual. Further, the Department accepts the obligations to maintain only such information on individuals as is relevant and necessary to the performance of its lawful functions, to maintain that information with such accuracy, relevancy, timeliness, and completeness as is reasonably necessary to assure fairness in determinations made by the Department about the individual, to obtain information from the individual to the extent practicable, and to take every reasonable step to protect that information from unwarranted disclosure. The Department will maintain no record describing how an individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity. An individual's name and address will not be sold or rented by the Department unless such action is specifically authorized by law; however, this provision shall not be construed to require the withholding of names and addresses otherwise permitted to be made public.

(b) This part applies to all units in the Department in order to assure the maximum amount of uniformity and consistency within the Department in its implementation of the Act. The units of the Department may promulgate supplementary orders and rules not inconsistent with this part.

(c) The Assistant Secretary for Administration is delegated responsibility for maintaining this part, for issuing such orders and directives internal to the Department as are necessary for full compliance with the Act, and for effecting publication of all required notices concerning systems of records.

(d) Matters outside the scope of this part include the following:

(1) Requests solely under the Freedom of Information Act (5 U.S.C. 552) and Part 4 of this title;

(2) Requests involving information pertaining to an individual which is in a record or file but not within the scope of a system of records notice published in the **Federal Register**;

(3) Requests to correct a record where a grievance procedure is available to the individual either by regulation or by provision in a collective bargaining agreement with the Department or a unit of the Department, and the individual has initiated, or has expressed in writing the intention of initiating, such grievance procedure. An individual selecting the grievance procedure waives the use of the procedures in this part to correct or amend a record; and,

(4) Requests for employee-employer services and counseling which were routinely granted prior to enactment of the Act, including, but not limited to, test calculations of retirement benefits, explanations of health and life insurance programs, and explanations of tax withholding options.

(e) The selection of the appropriate method for processing an individual's request for records depends on the status or capacity of the individual, the wording of the request and the character of the records requested. The Department anticipates the following situations and will undertake processing as indicated:

(1) Requester is the individual to whom the record pertains and the requester expressly states only that the request is under the Act—The request will be processed under the Act and this part;

(2) Requester is the individual to whom the record pertains and the requester expressly states only that the request is under the Freedom of Information Act—The request will be processed under the Freedom of Information Act and the Department's implementing regulations (Part 4 of this chapter);

(3) Requester is the individual to whom the record pertains and the requester expressly states that the request is under both the Act and the Freedom of Information Act—The request will be processed concurrently under both statutes and the Department's respective implementing regulations. For such dual requests the Department will follow the fee provisions under the Act and this part, and follow the time limits under the Freedom of Information Act and Part 4 of this title;

(4) Requester is the individual to whom the record pertains and the requester fails to specify whether the request is under the Act or the Freedom of Information Act or both—The Department will respond to the requester and ask for clarification of the requester's intention as to processing. The request will not be deemed to have been "received" for purposes of measuring time periods for response until the clarification actually has been received by the appropriate official of the Department; and,

(5) Requester (i) is not an individual or (ii) is an individual but not the individual to whom the record pertains or one asserting parentage or guardianship as permitted under the Act—The request will be processed under the Freedom of Information Act and the Department's implementing regulations or under other applicable procedures.

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.2 Definitions.

(a) All terms used in this part which are defined in 5 U.S.C. 552a shall have the same meaning herein.

(b) As used in this part:

(1) The term "Act" means the "Privacy Act of 1974," Pub. L. 93–579.

(2) The term "appeal" means the request by an individual that an initial denial of a request for correction or amendment by that individual be reviewed and reversed.

(3) The term "Department" means the Department of Commerce.

(4) The term "inquiry" means either a request for general information regarding the Act and this part or a request by an individual (or that individual's parent or guardian) that the Department determine whether it has any record in a system of records which pertains to that individual.

(5) The term "person" means any human being and also shall include but not be limited to, corporations, associations, partnerships, trustees, receivers, personal representatives, and public or private organizations.

(6) The term "Privacy Officer" means those officials, identified in Appendix A to this part, who are authorized to receive and act upon inquiries, requests for access, and requests for correction or amendment.

(7) The term "request for access" means a request by an individual to see a record which is in a particular system of records and which pertains to that individual.

(8) The term "request for correction or amendment" means the request by an individual that the Department change (either by correction, amendment, addition or deletion) a particular record in a system of records which pertains to that individual.

(9) The term "unit of the Department" and "unit" means the office of the Secretary of Commerce and operating units of the Department as defined in Department Organization Order 1–1, "Mission and Organization of the Department of Commerce" (35 FR 19704, December 27, 1970).

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.3 Procedures for inquiries pertaining to individual records in a record system.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit an inquiry to the Department. The inquiry should be made either in person or by mail addressed to the appropriate Privacy Officer identified in Appendix A to this part or to the official identified in the notification procedures paragraph of the systems of records notice published in the **Federal Register**. If an individual believes the Department maintains a record pertaining to that individual but does not know which system of records might contain such a record and/or which unit of the Department maintains the system of records, assistance in person or by mail will be provided at the first address listed in Appendix A to this part. The offices of Privacy Officers are open to the public between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excepting holidays).

(b) The processing of inquiries submitted by mail will be facilitated if the words "PRIVACY ACT INQUIRY" appear in capital letters on the face of the envelope.

(c) The Department has an official form for making inquiries and requests, a facsimile of which is Appendix C to this part. Its use is urged. Copies may be obtained by contacting any of the officials in Appendix A to this part. Copies also may be obtained by contacting any facility of the Department which offers direct services to the public. Please consult your telephone directory under the listing "United States Government—Commerce Department."

(d) If, for some reason, an individual is unable to use the Department's official form, the letter should bear the words "PRIVACY ACT INQUIRY" in capital letters at the top. If the inquiry is for general information regarding the Act and this part, no particular information is required. If the inquiry is a request that the Department determine whether it has, in a given system of records, a record which pertains to the individual, the following information should be submitted:

(1) Name of individual whose record is sought;

(2) Individual whose record is sought is either a U.S. citizen or an alien lawfully admitted for permanent residence;

(3) Identifying data that will help locate the record (for example, maiden name, occupational license number, period or place of employment, etc.);

(4) Record sought, by description and by record system name, if known;

(5) Action requested (that is, send information on how to exercise rights under the Act; does requested record exist; access to requested record; or copy of requested record);

(6) Copy of court guardianship order or minor's birth certificate, as provided in § 4b.4(f)(3), but only if requester is guardian or parent of individual whose record is sought;

(7) Requester's name (printed), signature, address, and telephone number (optional);

(8) Date; and,

(9) Certification of request by notary or other official, but only if (i) request is for notification that requested record exists, for access to requested record or for copy of requested record; (ii) record is not available to any person under 5 U.S.C. 552; and (iii) requester does not appear before an employee of the Department for verification of identity.

The Department reserves the right to require compliance with the identification procedures appearing at § 4b.4(f) where circumstances warrant.

(e) Any inquiry which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraphs (b) and (d) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. An inquiry which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until actual receipt by the Privacy Officer. In each instance when an inquiry so forwarded is received, the Privacy Officer shall notify the individual that his or her inquiry was improperly addressed and the date when the inquiry was received at the proper address.

(f) (1) Each inquiry received shall be acted upon promptly by the responsible Privacy Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days, the Privacy Officer shall send an acknowledgment during that period providing information on the status of the inquiry and asking for such further information as may be necessary to process the inquiry. The first correspondence sent by the Privacy Officer to the requester shall contain the Department's control number assigned to the request, as well as a note that the requester should use that number in all future contacts in order to facilitate processing. The Department shall use that control number in all subsequent correspondence.

(2) If the Privacy Officer fails to send an acknowledgment within ten days, as provided above, the requester may ask the General Counsel, to take corrective action. No failure of a Privacy Officer to send an acknowledgment shall confer

administrative finality for purposes of judicial review.

(g) An individual shall not be required to state a reason or otherwise justify his or her inquiry.

(h) Special note should be taken of the fact that certain agencies are responsible for publishing notices of systems of records having Government-wide application to other agencies, including the Department. The agencies known to be publishing these general notices and the types of records covered therein appear in Appendix B to this part. These general notices do not identify the Privacy Officers in the Department to whom inquiries should be presented or mailed. The provisions of this section, and particularly paragraph (a) of this section, should be followed in making inquiries with respect to such records. Such records in the Department are subject to the provisions of this part to the extent indicated in Appendix B to this part. The exemptions, if any, determined by the agency publishing a general notice shall be invoked and applied by the Department after consultation, as necessary, with that other agency.

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.4 Times, places, and requirements for identification of individuals making requests for access.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit a request for access to records to the Department. The request should be made either in person or by mail addressed to the responsible Privacy Officer identified in Appendix A to this part. The offices of Privacy Officers are open to the public between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday (excluding holidays).

(b) The Department has an official form for making requests, a facsimile of which is Appendix B to this part. Its use is urged. Copies may be obtained by contacting any of the officials listed in Appendix A to this part. Copies also may be obtained by contacting any facility of the Department which offers direct services to the public. Please consult your telephone directory under the listing "United States Government—Commerce Department."

(c) The processing of requests submitted by mail will be facilitated if the words "PRIVACY ACT REQUEST" appear in capital letters on the face of the envelope. If, for some reason, an individual is unable to use the Department's official form the letter should bear the words "PRIVACY ACT REQUEST" in capital letters at the top.

(d) Any request which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraph (c) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. A request which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until actual receipt by the Privacy Officer. In each instance when a request so forwarded is received, the Privacy Officer shall notify the individual that his or her request was improperly addressed and the date when the request was received at the proper address.

(e) If the request follows inquiry under § 4b.3 in connection with which the individual's identity was established by the Department, the individual need only indicate the record to which access is sought, give the Department control number assigned to the request, and sign and date the request. If the request is not preceded by an inquiry under § 4b.3, the procedures of either § 4b.3(c) or § 4b.3(d) of this part should be followed.

(f) The requirements for identification of individuals seeking access to records are as follows:

(1) *In person.* Each individual making a request in person shall be required to present satisfactory proof of identity. The means of proof, in the order of preference and priority, are:

(i) A document bearing the individual's photograph (for example, driver's license, passport or military or civilian identification card);

(ii) A document, preferably issued for participation in a Federally sponsored program, bearing the individual's signature (for example, unemployment insurance book, employer's identification card, national credit card, and professional, craft or union membership card); and,

(iii) A document bearing neither the photograph nor the signature of the individual, preferably issued for participation in a Federally sponsored program (for example, Medicaid card).

In the event the individual can provide no suitable documentation of identity, the Department will require a signed statement asserting the individual's identity and stipulating that the individual understands the penalty provision of 5 U.S.C. 552a(i)(3) recited in § 4b.12(a). For the convenience of the public, and in addition to the Privacy Officers listed in Appendix A to this part, most facilities which are open to the public and operated by the Department outside Metropolitan Washington, D.C. have employees authorized to determine the identity of an individual. However, such employees are not authorized to take any other action with respect to a request except to transmit the request to the responsible Privacy Officer. In order to avoid any unwarranted disclosure of an individual's records, the Department reserves the right to determine the adequacy of proof of identity offered by any individual, particularly when the request involves a sensitive record.

(2) *Not in person.* If the individual making a request does not appear in person before a Privacy Officer or other employee authorized to determine identity, a certificate of a notary public or equivalent officer empowered to administer oaths must accompany the request under the circumstances prescribed in § 4b.3(d)(9). The Department's official form for requests contains a certificate. If, for some reason, the individual is unable to use the official form, the certificate within or attached to the letter must be substantially in accord with the following text:

City of ————
County of — ———— :ss

(Name of individual), who affixed (his) (her) signature below in my presence, came before me, a (title), in and for the aforesaid County and State, this ——— day of ————, 19—, and established (his) (her) identity to my satisfaction.

My commission expires ————.
(Signature)

(3) *Parents of minors and legal guardians.* An individual acting as the parent of a minor or the legal guardian of the individual to whom a record pertains shall establish his or her personal identity in the same manner prescribed in either paragraph (f)(1) or paragraph (f)(2) of this section. In addition, such other individual shall establish his or her identity in the representative capacity of parent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of a legal guardian of an individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the court's order. For purposes of the Act, a parent or legal guardian may represent only a living individual, not a decedent. A parent or legal guardian may be accompanied during personal access to

a record by another individual, provided the provisions of § 4b.5(f) are satisfied.

(g) When the provisions of this part are alleged to have the effect of impeding an individual in exercising his or her right to access, the Department will consider, from an individual making a request, alternative suggestions regarding proof of identity and access to records.

(h) An individual shall not be required to state a reason or otherwise justify his or her request for access to a record.

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.5 Disclosure of requested information to individuals.

(a) (1) Each request received shall be acted upon promptly by the responsible Privacy Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days due to unusual circumstances, the Privacy Officer shall send an acknowledgment during that period providing information on the status of the request and asking for such further information as may be necessary to process the request. "Unusual circumstances" shall include circumstances where a search for and collection of requested records from inactive storage, field facilities or other establishments are required, cases where a voluminous amount of data is involved, instances where information on other individuals must be separated or expunged from the particular record, and cases where consultations with other agencies having a substantial interest in the determination of the request are necessary.

(2) If the Privacy Officer fails to send an acknowledgment within ten days, as provided above, the requester may ask the General Counsel to take corrective action. No failure of a Privacy Officer to send an acknowledgment shall confer administrative finality for purposes of judicial review.

(b) Grant of access. (1) *Notification.* An individual shall be granted access to a record pertaining to him or her, except where the provisions of paragraph (g)(1) of this section apply. The Privacy Officer shall notify the individual of a determination to grant access and provide the following information:

(i) The methods of access, as set forth in paragraph (b)(2) of this section;

(ii) The place at which the record may be inspected;

(iii) The earliest date on which the record may be inspected and the period of time that the records will remain available for inspection. In no event shall the earliest date be later than thirty days from the date of notification;

(iv) The estimated date by which a copy of the record could be mailed and the estimate of fees pursuant to section 4b.11 of this part. In no event shall the estimated date be later than thirty days from the date of notification;

(v) The fact that the individual, if he or she wishes, may be accompanied by another individual during personal access, subject to the procedures set forth in paragraph (f) of this section; and,

(vi) Any additional requirements needed to grant access to a specific record.

(2) *Methods of access.* The following methods of access to records by an individual may be available depending on the circumstances of a given situation:

(i) Inspection in person may be had in the office specified by the Privacy Officer granting access, during the hours indicated in § 4b.4(a);

(ii) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the Privacy Officer determines that a suitable facility is available, that the individual's access can be properly supervised at that facility, and that transmittal of the records to that facility will not unduly interfere with operations of the Department or involve unreasonable costs, in terms of both money and manpower; and,

(iii) Copies may be mailed at the request of the individual, subject to payment of the fees prescribed in § 4b.11. The Department, at its own initiative, may elect to provide a copy by mail, in which case no fee will be charged the individual.

(c) Access to medical records is governed by the provisions of § 4b.6.

(d) The Department shall supply such other information and assistance at the time of access as to make the record intelligible to the individual.

(e) The Department reserves the right to limit access to copies and abstracts of original records, rather than the original records. This election would be appropriate, for example, when the record is in an automated data media such as tape or disc, when the record contains information on other individuals, and when deletion of information is permissible under exemptions (for example, 5 U.S.C. 552a(k)(2)). In no event shall original records of the Department be made available to the individual except under the immediate supervision of the Privacy Officer or his designee. Title 18, United States Code, section 2701(a) makes it a crime to conceal, mutilate, obliterate, or destroy any record filed in a public office, or to attempt to do any of the foregoing.

(f) Any individual who requests access to a record pertaining to that individual may be accompanied by another individual of his or her choice. "Accompanied" includes discussion of the record in the presence of the other individual. The individual to whom the record pertains shall authorize the presence of the other individual in writing and shall include the name of the other individual, a specific description of the record to which access is sought, the Department control number assigned to the request, the date and the signature of the individual to whom the record pertains. The other individual shall sign the authorization in the presence of the Privacy Officer. An individual shall not be required to state a reason or otherwise justify his or her decision to be accompanied by another individual during personal access to a record.

(g) Initial denial of access. (1) *Grounds.* Access by an individual to a record which pertains to that individual will be denied only upon a determination by the Privacy Officer that:

(i) The record is exempt under §§ 4b.13 and 4b.14 or exempt by determination of another agency publishing notice of the system of records, as described in § 4b.3(h);

(ii) The record is information compiled in reasonable anticipation of a civil action or proceeding;

(iii) The provisions of section 4b.6 pertaining to medical records temporarily have been invoked; or,

(iv) The individual unreasonably has failed to comply with the procedural requirements of this part.

(2) *Notification.* The Privacy Officer shall give notice of denial of access to records to the individual in writing and shall include the following information:

(i) The Privacy Officer's name and title or position;

(ii) The date of the denial;

(iii) The reasons for the denial, including citation to the appropriate section of the Act and this part;

(iv) The individual's opportunities, if any, for further administrative consideration, including the identity and address of the responsible official. If no further administrative consideration within the Department is available, the notice shall state that the denial is administratively final; and,

(v) If stated to be administratively final within the Department, the individual's right to judicial review provided under 5 U.S.C. 552a(g)(1), as limited by 5 U.S.C. 552a(g)(5).

(3) *Administrative review.* When an initial denial of a request is issued by the Privacy Officer, the individual's opportunities for further consideration shall be as follows:

(i) As to denial under paragraph (g)(1)(i) of this section, two opportunities for further consideration are available in the alternative: (A) If the individual contests the application of the exemption to the records, review procedures in § 4b.5(g)(3)(ii) shall apply; or, (B) If the individual challenges the exemption itself, the procedure is a petition for the issuance, amendment, or repeal of a rule under 5 U.S.C. 553(e). If the exemption was determined by the Department, such petition shall be filed with the Assistant Secretary for Administration. If the exemption was determined by another agency, referred to in § 4b.3(h), the Department will provide the individual with the name and address of the other agency and any relief sought by the individual shall be that provided by the regulations of the other agency. Within the Department, no such denial is administratively final until such a petition has been filed by the individual and disposed of on the merits by the Assistant Secretary for Administration.

(ii) As to denial under paragraphs (g)(1)(ii), (g)(1)(iv) of this section or (to the limited extent provided in paragraph (g)(3)(i)(A) of this section) paragraph (g)(1)(i), the individual may file for review with the General Counsel, as indicated in the Privacy Officer's initial denial notification. The procedures appearing in § 4b.8 shall be followed by both the individual and the Department to the maximum extent practicable.

(iii) As to denial under paragraph (g)(1)(iii) of this section, no further administrative consideration within the Department is available because the denial is not administratively final until expiration of the time period indicated in § 4b.6(a).

(h) If a request is partially granted and partially denied, the Privacy Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.6 Special procedures: Medical records.

(a) No response to any request for access to medical records by an individual will be issued by the Privacy Officer for a period of seven days (excluding Saturdays, Sundays and holidays) from the date of receipt.

(b) The Department has published as a routine use, for all systems of records containing medical records, consultations with an individual's physician or psychologist if, in the sole judgment of the Department, disclosure could have an adverse effect upon the individual. The mandatory waiting period set forth in paragraph (a) of this section will permit exercise of this routine use in appropriate cases. The Department will pay no cost of any such consultation.

(c) In every case of a request by an individual for access to medical records, the Privacy Officer shall:

(1) Inform the individual of the waiting period prescribed in paragraph (a) of this section;

(2) Obtain the name and address of the individual's physician and/or psychologist, if the individual consents to give them;

(3) Obtain specific, written consent for the Department to consult the individual's physician and/or psychologist in the event that the Department believes such consultation is advisable, if the individual consents to give such authorization;

(4) Obtain specific, written consent for the Department to provide the medical records to the individual's physician or psychologist in the event that the Department believes access to the record by the individual is best effected under the guidance of the individual's physician or psychologist, if the individual consents to give such authorization; and,

(5) Forward the individual's medical record to the Department's medical officer for review and a determination on whether consultation with or transmittal of the medical records to the individual's physician or psychologist is warranted. If the consultation with or transmittal of such records to the individual's physician or psychologist is determined to be warranted, the Department's medical officer shall so consult or transmit. Whether or not such a consultation or transmittal occurs, the Department's medical officer shall provide instruction to the Privacy Officer regarding the conditions of access by the individual to his or her medical records.

(d) If an individual refuses in writing to give the names and consents set forth in paragraphs (c)(2) through (4) of this section and the Department has determined that disclosure could have an adverse effect upon the individual, the Department shall give the individual access to said records by means of a copy, provided without cost to the requester, sent registered mail return receipt requested.

§ 4b.7 Request for correction or amendment to record.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit a request for correction or amendment to the Department. The request should be made either in person or by mail addressed to the Privacy Officer who processed the individual's request for access to the record, and to whom is delegated authority to make initial determinations on requests for correction or amendment. The offices of Privacy Officers are open to the public between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday (excluding holidays).

(b) The processing of requests submitted by mail will be facilitated if the words "PRIVACY ACT REQUEST" appear in capital letters on the face of the envelope. If, for some reason, the individual is unable to use the Department's official form, the letter should bear the words "PRIVACY ACT REQUEST" in capital letters at the top.

(c) Any request which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraph (b) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. A request which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until actual receipt by the Privacy Officer. In each instance when a request so forwarded is received, the Privacy Officer shall notify the individual that his or her request was improperly addressed and the date when the request was received at the proper address.

(d) Since the request, in all cases, will follow a request for access under § 4b.5, the individual's identity will be established by his or her signature on the request and use of the Department control number assigned to the request.

(e) A request for correction or amendment should include the following:

(1) A specific identification of the record sought to be corrected or amended (for example, description, title, date, paragraph, sentence, line and words);

(2) The specific wording to be deleted, if any;

(3) The specific wording to be inserted or added, if any, and the exact place at which to be inserted or added; and,

(4) A statement of the basis for the requested correction or amendment, with all available supporting documents and materials which substantiate the statement. The statement should identify the criterion of the Act being invoked, that is, whether the information in the record is unnecessary, inaccurate, irrelevant, untimely or incomplete.

§ 4b.8 Agency review of request for correction or amendment of record.

(a)(1) (i) Not later than ten days (excluding Saturdays, Sundays and holidays) after receipt of a request to correct or amend a record, the Privacy Officer shall send an acknowledgment providing an estimate of time within which action will be taken on the request and asking for such further information as may be necessary to process the request. The estimate of time may take into account unusual circumstances as described in § 4b.5(a). No acknowledgment will be sent if the request can be reviewed, processed and the individual notified of the results of review (either compliance or denial) within the ten days. Requests filed in person will be acknowledged in writing at the time submitted.

(ii) If the Privacy Officer fails to send the acknowledgment within the ten days, as provided above, the requester may ask the General Counsel to take corrective action. No failure of a Privacy Officer to send an acknowledgment shall confer administrative finality for purposes of judicial review.

(2) Promptly after acknowledging receipt of a request, or after receiving such further information as might have been requested, or after arriving at a decision within the ten days, the Privacy Officer shall either:

(i) Make the requested correction or amendment and advise the individual in writing of such action, providing either a copy of the corrected or amended record or a statement as to the means whereby the correction or amendment was effected in cases where a copy cannot be provided (for example, erasure of information from a record maintained only in magnetically recorded computer files); or,

(ii) Inform the individual in writing that his or her request is denied and provide the following information:

(A) The Privacy Officer's name and title or position;

(B) The date of the denial;

(C) The reasons for the denial, including citation to the appropriate sections of the Act and this part; and,

(D) The procedures for appeal of the denial as set forth in § 4b.9, including the name and address of the General Counsel.

The term "promptly" in this subsection means within thirty days (excluding Saturdays, Sundays and holidays). If the Privacy Officer cannot make the determination within thirty days, the individual will be advised in writing of the reason therefor and of the estimated date by which the determination will be made.

(b) Whenever an individual's record is corrected or amended pursuant to a request by that individual, the Privacy Officer shall see to the notification of all persons and agencies to which the corrected or amended portion of the record had been disclosed prior to its correction or amendment, if an accounting of such disclosure required by the Act was made. The notification shall require a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record and to apprise any agency or person to which it had disclosed the record of the substance of the correction or amendment.

(c) The following criteria will be considered by the Privacy Officer in reviewing a request for correction or amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information;

(3) The relevance and necessity of the information in terms of purpose for which it was collected;

(4) The timeliness and currency of the information in light of the purpose for which it was collected;

(5) The completeness of the information in terms of the purpose for which it was collected;

(6) The degree of risk that denial of the request could unfairly result in determinations adverse to the individual;

(7) The character of the record sought to be corrected or amended; and

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual.

(d) The Department will not undertake to gather evidence for the individual, but does reserve the right to verify the evidence which the individual submits.

(e) Correction or amendment of a record requested by an individual will be denied only upon a determination by the Privacy Officer that:

(1) The individual has failed to establish, by a preponderance of the evidence, the propriety of the correction or amendment in light of the criteria set forth in paragraph (c) of this section;

(2) The record sought to be corrected or amended is part of the official record in a terminated judicial, quasi-judicial or quasi-legislative proceeding to which the individual was a party or participant;

(3) The information in the record sought to be corrected or amended, or the record sought to be corrected or amended, is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual is a party or participant;

(4) The correction or amendment would violate a duly enacted statute or promulgated regulation; or,

(5) The individual unreasonably has failed to comply with the procedural requirements of this part.

(f) If a request is partially granted and partially denied, the Privacy Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.9 Appeal of initial adverse agency determination on correction or amendment.

(a) When a request for correction or amendment has been denied initially under § 4b.8, the individual may submit a written appeal within thirty days after the date of the initial denial. When an appeal is submitted by mail, the postmark is conclusive as to timeliness.

(b) An appeal shall be addressed to the General Counsel, Department of Commerce, Room 5882, Washington, DC 20230. The processing of appeals will be facilitated if the words "PRIVACY APPEAL" appear in capital letters on both the envelope and the top of the appeal papers. An appeal not addressed and marked as provided herein will be so marked by Department personnel when it is so identified, and will be forwarded immediately to the General Counsel. An appeal which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring the time periods in this section until actual receipt by the General Counsel. In each instance when an appeal so forwarded is received, the General Counsel shall notify the individual that his or her appeal was improperly addressed and the date when the appeal was received at the proper address.

(c) The individual's appeal papers shall include a statement of the reasons why the initial denial is believed to be in error and the Department's control number assigned to the request. The appeal shall be signed by the individual. The record which the individual requests be corrected or amended and all correspondence between the Privacy Officer and the requester will be supplied by the Privacy Officer who issued the initial denial. While the foregoing normally will comprise the entire record on appeal, the General Counsel may seek additional information necessary to assure that the final determination is fair and equitable and, in such instances, the additional information will be disclosed to the individual to the greatest extent possible and an opportunity provided for comment thereon.

(d) No personal appearance or hearing on appeal will be allowed.

(e) The General Counsel shall act upon the appeal and issue a final determination in writing not later than thirty days (excluding Saturdays, Sundays and holidays) from the date on which the appeal is received; provided, that the General Counsel may extend the thirty days upon deciding that a fair and equitable review cannot be made within that period, but only if the individual is advised in writing of the reason for the extension and the estimated date by which a final determination will issue. The estimated date should not be later than the sixtieth day (excluding Saturdays, Sundays and holidays) after receipt of the appeal unless unusual circumstances, as described in § 4b.5(a), are met.

(f) If the appeal is determined in favor of the individual, the final determination shall include the specific corrections or amendments to be made and a copy thereof shall be transmitted promptly both to the individual and to the Privacy Officer who issued the initial denial. Upon receipt of such final determination, the Privacy Officer promptly shall take the actions set forth in §§ 4b.8(a)(2)(i) and 4b.8(b).

(g) If the appeal is denied, the final determination shall be transmitted promptly to the individual and state the reasons for the denial. The notice of final determination also shall inform the individual of the following:

(1) The right of the individual under the Act to file a concise statement of reasons for disagreeing with the final determination. The statement ordinarily should not exceed one page and the Department reserves the right to reject a statement of excessive length. Such a statement shall be filed with the General Counsel. It should provide the Department control number assigned to the request, indicate the date of the final determination and be signed by the individual. The General Counsel shall acknowledge receipt of such statement and inform the individual of the date on which it was received;

(2) The facts that any such disagreement statement filed by the individual will be noted in the disputed record, that the purposes and uses to which the statement will be put are those applicable to the record in which it is noted, and that a copy of the statement will be provided to persons and agencies to which the record is disclosed subsequent to the date of receipt of such statement;

(3) The fact that the Department will append to any such disagreement statement filed by the individual, a copy of the final determination or summary thereof which also will be provided to persons and agencies to which the disagreement statement is disclosed; and,

(4) The right of the individual to judicial review of the final determination under 5 U.S.C. 552a(g)(1)(A), as limited by 5 U.S.C. 552a(g)(5).

(h) In making the final determination, the General Counsel shall employ the criteria set forth in § 4b.8(c) and shall deny an appeal only on the grounds set forth in § 4b.8(e).

(i) If an appeal is partially granted and partially denied, the General Counsel shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

(j) Although a copy of the final determination or a summary thereof will be treated as part of the individual's record for purposes of disclosure in instances where the individual has filed a disagreement statement, it will not be subject to correction or amendment by the individual.

(k) The provisions of paragraphs (g)(1) through (3) of this section satisfy the requirements of 5 U.S.C. 552a(e)(3).

[40 FR 45621, Oct. 2, 1975, as amended at 53 FR 26236, Jul. 12, 1988]

§ 4b.10 Disclosure of record to person other than the individual to whom it pertains.

(a) The Department may disclose a record pertaining to an individual to a person other than the individual to whom it pertains only in the following instances:

(1) Upon written request by the individual, including authorization under § 4b.5(f);

(2) With the prior written consent of the individual;

(3) To a parent or legal guardian under 5 U.S.C. 552a(h);

(4) When required by the Act and not covered explicitly by the provisions of 5 U.S.C. 552a(b); and

(5) When permitted under 5 U.S.C. 552a(b)(1) through (11), which read as follows:[1]

(i) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(ii) Required under section 552 of this title;

(iii) For a routine use as defined in paragraph (a)(7) of this section and described under paragraph (e)(4)(D) of this section;

(iv) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(v) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(vii) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(viii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(ix) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(x) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(xi) Pursuant to the order of a court of competent jurisdiction.

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[1] 5 U.S.C. 552a(b)(4) has no application within the Department.

(b) The situations referred to in paragraph (a)(4) of this section include the following:

(1) 5 U.S.C. 552a(c)(4) requires dissemination of a corrected or amended record or notation of a disagreement statement by the Department in certain circumstances;

(2) 5 U.S.C. 552a(d) requires disclosure of records to the individual to whom they pertain, upon request;

(3) 5 U.S.C. 552a(g) authorizes civil action by an individual and requires disclosure by the Department to the court;

(4) Section 5(e)(2) of the Act authorizes release of any records or information by the Department to the Privacy Protection Study Commission upon request of the Chairman; and

(5) Section 6 of the Act authorizes the Office of Management and Budget to provide the Department with continuing oversight and assistance in implementation of the Act.

(c) The Privacy Officer shall make an accounting of each disclosure by him of any record contained in a system of records in accordance with 5 U.S.C. 552a(c) (1) and (2). Except for a disclosure made under 5 U.S.C. 552a(b)(7), the Privacy Officer shall make such accounting available to any individual, insofar as it pertains to that individual, on request submitted in accordance with § 4b.4. The Privacy Officer shall make reasonable efforts to notify any individual when any record in a system of records is disclosed to any person under compulsory legal process, promptly upon being informed that such process has become a matter of public record.

§ 4b.11 Fees.

(a) The only fees to be charged to or collected from an individual under the provisions of this part are for copying records at the request of the individual.

(1) No fees shall be charged or collected for the following: Search for and retrieval of the records; review of the records; copying at the initiative of the Department without a request from the individual; transportation of records and personnel; and first-class postage.

(2) It is the policy of the Department to provide an individual with one copy of each record corrected or amended pursuant to his or her request without charge as evidence of the correction or amendment.

(3) As required by the United States Civil Service Commission in its published regulations implementing the Act, the Department will charge no fee for a single copy of a personnel record covered by that Commission's Government-wide published notice of systems of records.

(b) The copying fees prescribed by paragraph (a) of this section are:

$0.07	Each copy of each page, up to 8½" x 14", made by photocopy or similar process.
$0.25	Each copy of each microform frame printed on paper.
$0.25	Each aperture card.
$0.25	Each 105-mm fiche.
$7.00	Each 100' roll of 35-mm microfilm.
$6.00	Each 100' roll of 16-mm microfilm.
$0.20	Each page of computer printout without regard to the number of carbon copies concurrently printed.

Other copying forms (e.g., typing or printing) will be charged at direct cost, including personnel and equipment costs.

(c) All copying fees shall be paid by the individual before the copying will be undertaken. Payments shall be made in cash or, preferably, by check or money order payable to "U.S. Department of Commerce," and they shall be paid or sent to the office stated in the billing notice, or if none, to the Privacy Officer processing the request. Where appropriate, payment may be required in the form of certified check.

(d) A copying fee totaling $1 or less shall be waived, but the copying fees for contemporaneous requests by the same individual shall be aggregated to determine the total fee.

A copying fee shall not be charged or collected, or alternatively, it may be reduced, when it is determined by the Privacy Officer, based on a petition therefor, that the petitioning individual is indigent and that Department resources permit a waiver of all or part of the fee. An individual is deemed to be indigent when without income or resources sufficient to pay the fees.

(e) Special and additional services provided at the request of the individual, such as certification or authentication, postal insurance and special mailing arrangement costs, will be charged to the individual in accordance with other published regulations of the Department pursuant to statute (for example, 31 U.S.C. 483a).

(f) This section applies only to individuals making requests under this part. To the extent an individual makes a request under the Freedom of Information Act, as provided in § 4b.1(e) (2), (3) and (5), the fees provisions of Part 4 of this Chapter shall apply. All other persons shall remain subject to fees and charges prescribed by other and appropriate authorities.

§ 4b.12 Penalties.

(a) The Act provides, in pertinent part:

> Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000. (5 U.S.C. 552a(i)(3)).

(b) A person who falsely or fraudulently attempts to obtain records under the Act also may be subject to prosecution under such other criminal statutes as 18 U.S.C. 494, 495 and 1001.

§ 4b.13 General exemptions.

(a) Individuals may not have access to records maintained by the Department but which were provided by another agency which has determined by regulation that such information is subject to general exemption under 5 U.S.C. 552a(j). If such exempt records are within a request for access, the Department will advise the individual of their existence and of the name and address of the source agency. For any further information concerning the record and the exemption, the individual must contact that source agency.

(b) The general exemptions determined to be necessary and proper with respect to systems of records maintained by the Department, including the parts of each system to be exempted, the provisions of the Act from which they are exempted, and the justification for the exemption, are as follows:

(1) *Individuals identified in Export Administration compliance proceedings or investigations—COMMERCE/ITA-1.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). These exemptions are necessary to insure the proper functioning of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to maintain the integrity of the law enforcement process, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, to prevent interference with law enforcement proceedings, to avoid disclosure of investigative techniques, and to avoid the endangering of law enforcement personnel. Section 7(c) of the Export Adminstration Act of 1969, as amended, also protects this information from disclosure.

(2) *Fisheries Law Enforcement Case Files—COMMERCE/NOAA-11.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a (b), (c) (1) and (2), (e) (4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). These exemptions

are necessary to insure the proper functioning of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, to avoid the endangering of law enforcement personnel, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, and to maintain the integrity of the law enforcement process.

(3) *Investigative Records—Contract and Grant Frauds and Employee Criminal Misconduct—COMMERCE/DEPT.-12.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). These exemptions are necessary to insure the proper functions of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, to avoid the endangering of law enforcement personnel, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, and to maintain the integrity of the law enforcement process.

(5 U.S.C. 552a(f) and (k), sec. 3 of the Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896))

[40 FR 45621, Oct. 2, 1975; 40 FR 50662, Oct. 30, 1975; 40 FR 51168, Nov. 3, 1975, as amended at 43 FR 43020, Sept. 22, 1978]

§ 4b.14 Specific exemptions.

(a) Some systems of records under the Act which are maintained by the Department contain, from time to time, material subject to the exemption appearing at 5 U.S.C. 552a(k)(1), relating to national defense and foreign policy materials. The systems of records published in the **Federal Register** by the Department which are within this exemption are:

COMMERCE/ITA-1, COMMERCE/ITA-2, COMMERCE/ITA-3, COMMERCE/NOAA-11, COMMERCE/PAT-TM-4, COMMERCE/PAT-TM-6, COMMERCE/PAT-TM-7, COMMERCE/PAT-TM-8, COMMERCE/PAT-TM-9, COMMERCE/DEPT-12, COMMERCE/DEPT-13, and COMMERCE/DEPT-14.

The Department hereby asserts a claim to exemption of such materials wherever they might appear in such systems of records, or any systems of records, at present or in the future. The materials would be exempt from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). The reason therefor is to protect the materials required by Executive order to be kept secret in the interest of the national defense and foreign policy.

(b) The specific exemptions determined to be necessary and proper with respect to systems of records maintained by the Department, including the parts of each system to be exempted, the provisions of the Act from which they are exempted, and the justification for the exemption, are as follows:

(1) *Exempt under 5 U.S.C. 552a(k)(1).* The systems of records exempt hereunder appear in paragraph (a) of this section. The claims for exemption of COMMERCE/DEPT-12, COMMERCE/ITA-1, and COMMERCE/NOAA-11 under this paragraph are subject to the condition that the general exemption claimed in § 4b.13(b)(3) is held to be invalid.

(2) *Exempt under 5 U.S.C. 552a(k)(2).* The systems of records exempt (some only conditionally), the sections of the Act from which exempted, and the reasons therefor are as follows:

(i) Individuals identified in Export Administration compliance proceedings or investigations—COMMERCE/ITA-1, but only on condition that the general exemption claimed in § 4b.13(b)(1) is held to be invalid;

(ii) Individuals involved in export transactions—COMMERCE/ITA-2;

(iii) Fisheries Law Enforcement Case Files—COMMERCE/NOAA-11, but only on condition that the general exemption claimed in § 4b.13(b)(2) is held to be invalid;

(iv) Investigative Records—Contract and Grant Frauds and Employee Criminal Misconduct—COMMERCE/DEPT-12, but only on condition that the general exemption claimed in § 4b.13(b)(3) is held to be invalid;

(v) Investigative Records—Persons Within the Investigative Jurisdiction of the Department—COMMERCE/DEPT-13;

(vi) Litigation, Claims and Administrative Proceeding Records—COMMERCE/DEPT-14; and,

(vii) Non-Registered Persons Rendering Assistance to Patent Applicants—COMMERCE/PAT-TM-5.

The foregoing are exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The reasons for asserting the exemption are to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the ability to obtain necessary information, to fulfill commitments made to sources to protect their identities and the confidentiality of information and to avoid endangering these sources and law enforcement personnel. Special note is taken of the fact that the proviso clause in this exemption imports due process and procedural protections for the individual. The existence and general character of the information exempted will be made known to the individual to whom it pertains.

(3) *Exempt under 5 U.S.C. 552a(k) (4).* The systems of records exempt, the sections of the Act from which exempted, and the reasons therefor are as follows:

(i) Agricultural Census Records for 1964 (partial), 1969, and 1974—COMMERCE/CENSUS-1;

(ii) Individual and Household Statistical Surveys and Special Census Studies Records—COMMERCE/CENSUS-3;

(iii) Minority-Owned Business Enterprises Survey Records—COMMERCE/CENSUS-4;

(iv) Population and Housing Census Records for 1960 and 1970—COMMERCE/CENSUS-5;

(v) Population Census Personal Service Records for 1900 and All Subsequent Decennial Censuses—COMMERCE/CENSUS-6; and,

(vi) Special Censuses of Population Conducted for State and Local Government—COMMERCE/CENSUS-7.

The foregoing are exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G) (H), and (I), and (f). The reasons for asserting the exemption are to comply with the prescription of Title 13, United States Code, especially sections 8 and 9 relating to prohibitions against disclosure, and to avoid needless consideration of these records whose sole statistical use comports fully with a basic purpose of the Act, namely, no adverse determinations may be made from these records as to any identifiable individual.

(4) *Exempt under 5 U.S.C. 552a(k)(5),(k)(4).* The systems of records exempt (some only conditionally), the sections of the act from which exempted, and the reasons therefor are as follows:

(i) Applications to U.S. Merchant Marine Academy (USMMA)—COMMERCE/MA-1;

(ii) USMMA Midshipman Medical Files—COMMERCE/MA-17;

(iii) USMMA Midshipman Personnel Files—COMMERCE/MA-18;

(iv) USMMA Non-Appropriated Fund Employees—COMMERCE/MA-19;

(v) Applicants for the NOAA Corps—COMMERCE/NOAA-4;

(vi) Commissioned Officer Official Personnel Folders—COMMERCE/NOAA-7;

(vii) Conflict of Interest Records, Appointed Officials—COMMERCE/DEPT-3;

(viii) Investigative Records—Contract and Grant Frauds and Employee Criminal Misconduct—COMMERCE/DEPT-12, but only on condition that the general exemption claimed in § 4b.13(b)(3) is held to be invalid;

(ix) Investigative Records—Persons Within the Investigative Jurisdiction of the Department—COMMERCE/DEPT-13; and,

(x) Litigation, Claims, and Administrative Proceeding Records—COMMERCE/DEPT-14.

The foregoing are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). The reasons for asserting the exemption are to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract. Special note is made of the limitation on the extent to which this exemption may be asserted. The existence and general character of the information exempted will be made known to the individual to whom it pertains.

(c) At the present time, the Department claims no exemption under 5 U.S.C. 552a(k) (3), (6) and (7).

[5 U.S.C. 552a (f) and (k), sec. 3 of the Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896).)

[40 FR 45621, Oct. 2, 1975; 40 FR 50662, Oct. 30, 1975; 40 FR 51168, Nov. 3, 1975, as amended at 43 Fr 43021, Sept. 22, 1978]

APPENDIX A—OFFICIALS TO RECEIVE INQUIRIES, REQUESTS FOR ACCESS AND REQUESTS FOR CORRECTION OR AMENDMENT

For records in systems of records located in [1]—	*Privacy Officer*
The Office of the Secretary and all departmental staff offices.	Chief, Information Management Division, Room 5622, Herbert C. Hoover Building, Washington, D.C. 20230.
Office of the Inspector General.	Counsel to the Inspector General, Office of the Inspector General, Room 7892, Herbert C. Hoover Building, Washington, D.C. 20230.
Economic Affairs [2]	Privacy Act Officer, Office of Administration, Economic Affairs, Room 4079, Herbert C. Hoover Building, Washington, D.C. 20230.
Bureau of the Census.	Associate Director for Management Services, Bureau of the Census, Room 2027, Federal Building 3, Washington, D.C. 20233.
Economic Development Administration.	Assistant Chief Counsel, Economic Development Administration, Room 7001, Herbert C. Hoover Building, Washington, D.C. 20230.
Bureau of Export Administration.	Privacy Act Officer, Office of Security and Management Support, Bureau of Export Administration, Room 3889, Hewrbert C. Hoover Building, Washington, DC 20230.
International Trade Administration.	Privacy Act Officer, Office of Organization and Management Support, International Trade Administration, Room 4102, Herbert C. Hoover Building, Washington, D.C. 20230.
Minority Business Development Agency.	Assistant Director for Operations, Minority Business Development Agency, Room 6723, Herbert C. Hoover Building, Washington, D.C. 20230.
National Bureau of Standards.	Deputy Director of Administration, National Bureau of Standards, Room A1105, Administration Building, Washington, D.C. 20234.
National Oceanic and Atmospheric Administration.	Director, Office of Administration, National Oceanic and Atmospheric Administration, Room 1109, Herbert C. Hoover Building, Washington, D.C. 20230.
National Telecommunications and Information Administration.	Director of Administration, National Telecommunications and Information Administration, Room 4717, Herbert C. Hoover Building, Washington, D.C. 20230.
National Technical Information Service.	Manager, Management Analysis Division, National Technical Information Service, Room 209, Forbes Building, Springfield, Virginia 22161.
Patent and Trademark Office.	Solicitor, Patent and Trademark Office, Room 12C08 Gateway 2, Crystal City, Virginia 20231.
United States Travel and Tourism Administration.	Director, Office of Management and Administration, United States Travel and Tourism Administration, Room 1524, Herbert C. Hoover Building, Wasnington, D.C. 20230.

[1] If the location of the records within the Department is unknown, address the inquiry to the Privacy Officer for the Office of the Secretary.

[2] Economic Affairs includes: Office of the Under Secretary for Economic Affairs; Office of the Assistant Secretary for Productivity, Technology and Innovation; Office of Chief Economist; Office of Strategic Resources; Office of Business Analysis; Bureau of Economic Analysis. The Bureau of the Census, and the National Technical Information Service, which also fall organizationally under Economic Affairs, are listed separately.

[51FR 32207, Sept. 10, 1986, as amended at 53 FR 26236, Jul. 12, 1988]

APPENDIX B—SYSTEMS OF RECORDS NOTICED BY OTHER FEDERAL AGENCIES AND APPLICABLE TO RECORDS OF THE DEPARTMENT AND APPLICABILITY OF THIS PART THERETO

Category of Records	*Other Federal Agency*
Federal Personnel Records.	Office of Personnel Management.[1]
Federal Employee Compensation Act Program.	Department of Labor.[2]
Equal Employment Opportunity Appeal Complaints.	Equal Employment Opportunity Commission.[3]
Formal Complaints/Appeals of Adverse Personnel Actions.	Merit Systems Protection Board.[4]

[1] The provisions of this part do not apply to these records covered by notices of systems of records published by the Office of Personnel Management for all agencies. The regulations of OPM alone apply.

[2] The provisions of this part apply only initially to these records covered by notices of systems of records published by the U.S. Department of Labor for all agencies. The regulations of that Department attach at the point of any denial for access or for correction or amendment.

[3] The provisions of this part do not apply to these records covered by notices of systems of records published by the Equal Employment Opportunity Commission for all agencies. The regulations of the Commission alone apply.

[4] The provisions of this part do not apply to these records covered by notices of systems of records published by the Merit Systems Protection Board for all agencies. The regulations of the Board alone apply.

[51 FR 32207, Sept. 10, 1986; Redesignated at 53 FR 26236, Jul. 12, 1988]

DEPARTMENT OF EDUCATION

Routine Uses

Paragraph (b)(3) of section 552a permits disclosure for a routine use. A routine use is a use of a record for a purpose which is compatible with the purpose for which the record was collected. Each routine use for which an agency may disclose a record must be published in the notice of the system of records for which the use will apply. Many of the systems of records maintained by the Department use standard routine uses. These standard routine uses were published in Appendix B to the Department's Privacy Act regulations (34 CFR Part 5b, May 9, 1980, 45 FR 30808). A system that adopts a standard routine use refers to Appendix B. For ease of reading, the routine uses listed in Appendix are appended to this document before the Index of Systems and System Numbers.

Appendix B of Departmental Regulations (34 CFR Part 5b)

Routine Uses Applicable To More Than One System of Records Maintained by ED

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a 'routine use' to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10) To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(11) Disclosures in the course of employee discipline or competence determination proceedings.

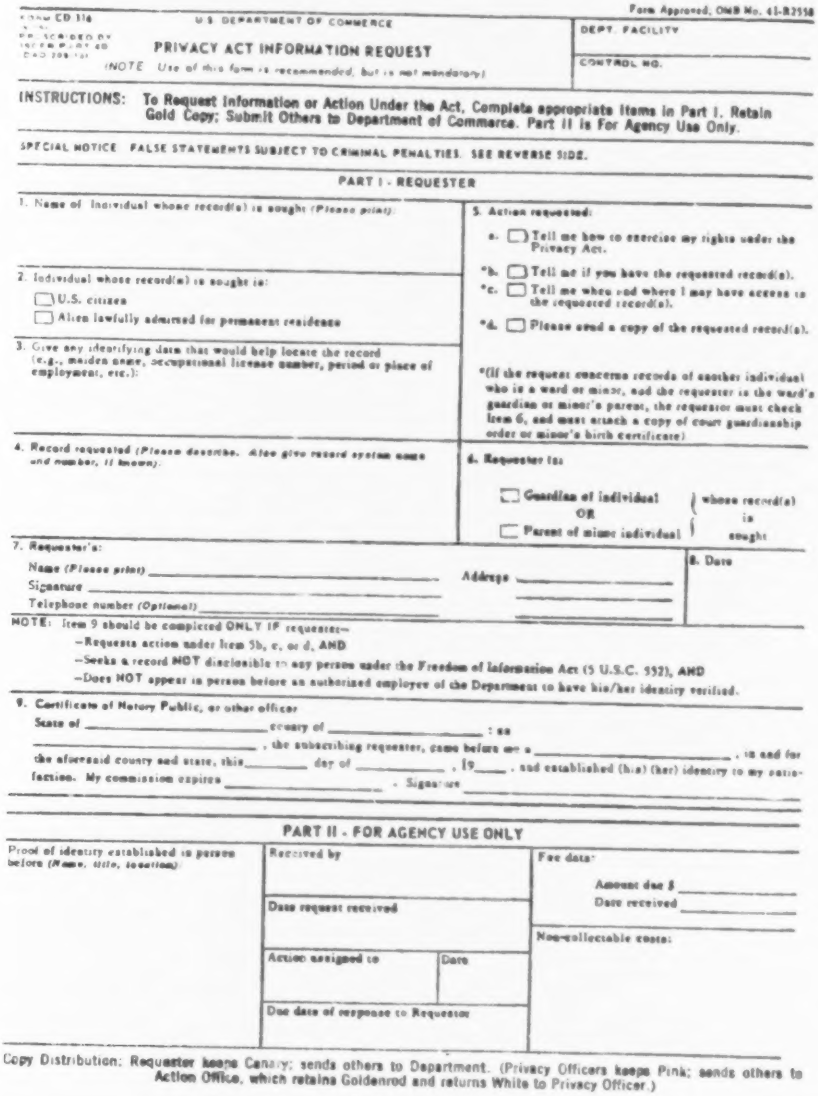
A complete index of systems of records covered by this notice follows:

Index of Systems and System Numbers

18-01-0001	Secretary's Communication Control System
18-01-0002	Federal Advisory Committee Membership Files
18-05-002	Elementary School Essays on the Bicentennial of the U.S. Constitution)
18-06-0001	Freedom of Information Case File and Correspondence Control Index
18-06-0002	Biographies and Photographs of ED Officials
18-07-0002	Congressional Correspondence Control System
18-08-0001	Case Information Management System (OCR)
18-08-0002	Complaint Files and Log, Office of Planning and Compliance Operations
18-09-0001	Administration Claims
18-09-0002	OGC-Attorney Applicant Files
18-09-0003	Conflict of Interest-Standards of Conduct Records
18-09-0004	Federal Private Relief Legislation
18-09-0005	Litigation Files, Administrative Complaints and Adverse Personnel Actions
18-10-0001	Investigative Files of the Inspector General
18-10-0002	Investigatory Material Compiled for Personnel Security and Suitability Purposes
18-11-0001	Motor Vehicle Operator Records
18-11-0002	Departmental Parking Control Policy
18-11-0003	Family Educational Rights and Privacy Act, School Recordkeeping Practices, Correspondence and Complaint System
18-11-0005	Safety Management Information System (ED Accident, Injury and Illness Reporting System)
18-11-0006	Telephone Directory/Locator System
18-11-0007	Applicants for Employment Records
18-11-0008	Payroll, Attendance, and Leave Records (ED PAY/PERS)
18-11-0009	Discrimination Complaints Records System
18-11-0010	Employee Alcoholism, Drug Abuse and Emotional Problem Counseling and Referral Records
18-11-0011	Employee Appraisal Program Records
18-11-0012	Executive Development Records System
18-11-0014	Grievances Filed Under the Informal Grievance Procedures
18-11-0015	Grievance Records Filed Under Procedures Established by Labor Management Negotiations
18-11-0018	Personnel Records in Operating Offices
18-11-0019	Special Employment Programs
18-11-0020	Suitability for Employment Records
18-11-0022	Volunteer EEO Support Personnel Records
18-11-0023	Unfair Labor Practice Records
18-11-0025	Employee Suggestion Program Records
18-11-0026	Debarment or Suspension Proceedings Under Executive Order 12549, OM/OC/GSC
18-15-0001	Consultants for Federal Technical Assistance Program, Vocational Rehabilitation Services
18-15-0002	Office of Rehabilitation Services Mailing Lists
18-15-0003	Mailing Keys
18-15-0004	Correspondence Files
18-20-0001	Fund for Improvement of Postsecondary Education; FIPSE Field Readers to Review Proposals for ED
18-40-0002	Registry of Deaf-Blind Children/Regional-National
18-40-0003	Students Participation in Deaf-Blind Programs Under Centers and Services for Deaf-Blind Children
18-40-0004	Parent Participants in Deaf-Blind Programs Provided by Regional Centers for Deaf-Blind Children
18-40-0005	Participant Waiting List for Projects Serving Severely Handicapped Children and Youth
18-40-0006	Participants of Projects Serving Severely Handicapped Children and Youth
18-40-0007	Participants in Workshops Concerning Severely Handicapped Children and Youth
18-40-0009	Selective Service Registration Compliance File
18-40-0010	Law Enforcement Education System
18-40-0011	Upward Bound Information Systems
18-40-0012	Migration and Refugee Assistance Act of 1962-United States Loan Program for Cuban Students

Appendix C

FACSIMILE OF OFFICIAL FORM FOR INQUIRIES AND REQUESTS



Form Approved; OMB No. 41-R2558

FORM CD 114
PRESCRIBED BY
[illegible]

U.S. DEPARTMENT OF COMMERCE

PRIVACY ACT INFORMATION REQUEST

(NOTE *Use of this form is recommended, but is not mandatory*)

DEPT. FACILITY

CONTROL NO.

INSTRUCTIONS: **To Request Information or Action Under the Act, Complete appropriate Items in Part I. Retain Gold Copy; Submit Others to Department of Commerce. Part II Is For Agency Use Only.**

SPECIAL NOTICE FALSE STATEMENTS SUBJECT TO CRIMINAL PENALTIES. SEE REVERSE SIDE.

PART I - REQUESTER

1. Name of Individual whose record(s) is sought *(Please print)*:

2. Individual whose record(s) is sought is:
☐ U.S. citizen
☐ Alien lawfully admitted for permanent residence

3. Give any identifying data that would help locate the record (e.g., maiden name, occupational license number, period or place of employment, etc.):

4. Record requested *(Please describe. Also give record system name and number, if known)*:

5. Action requested:
a. ☐ Tell me how to exercise my rights under the Privacy Act.
*b. ☐ Tell me if you have the requested record(s).
*c. ☐ Tell me when and where I may have access to the requested record(s).
*d. ☐ Please send a copy of the requested record(s).

*(If the request concerns records of another individual who is a ward or minor, and the requester is the ward's guardian or minor's parent, the requester must check Item 6, and must attach a copy of court guardianship order or minor's birth certificate)

6. Requester is:
☐ Guardian of individual
OR
☐ Parent of minor individual
whose record(s) is sought

7. Requester's:
Name *(Please print)* ______
Signature ______
Telephone number *(Optional)* ______
Address ______

8. Date

NOTE: Item 9 should be completed ONLY IF requester—
—Requests action under Item 5b, c, or d, AND
—Seeks a record NOT disclosible to any person under the *Freedom of Information Act* (5 U.S.C. 552), AND
—Does NOT appear in person before an authorized employee of the Department to have his/her identity verified.

9. Certificate of Notary Public, or other officer
State of ______ county of ______ : ss
______, the subscribing requester, came before me a ______, in and for the aforesaid county and state, this ______ day of ______, 19___, and established (his) (her) identity to my satisfaction. My commission expires ______. Signature ______

PART II - FOR AGENCY USE ONLY

Proof of identity established in person before *(Name, title, location)*:

Received by

Date request received

Action assigned to

Date

Due date of response to Requester

Fee data:
Amount due $ ______
Date received ______

Non-collectable costs:

Copy Distribution: Requester keeps Canary; sends others to Department. (Privacy Officers keeps Pink; sends others to Action Office, which retains Goldenrod and returns White to Privacy Officer.)

Special Notice

FALSE STATEMENTS SUBJECT TO CRIMINAL PENALTIES

The Privacy Act of 1974 (Pub. L. 93-579), 5 U.S.C. 552a(i)(3), states

"Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretences shall be guilty of a misdemeanor and fined not more than $5,000."

[40 FR 45621, Oct. 2, 1975; 40 FR 50662, Oct. 30, 1975; 40 FR 51168, Nov. 3, 1975. Redesignated at 53 FR 26236, July 12, 1988]

18-40-0013	National Defense Direct Student Loan Program Request for Cancellation of Loan of Ground of Permanent and Total Disability
18-40-0014	Pell Grant Application File
18-40-0015	Pell Grant Student Aid Report Sub-system
18-40-0016	Pell Grant Alternate Disbursement System
18-40-0017	Student Financial Assistance Validation File
18-40-0018	Mutual Educational and Cultural Exchange Act—Teacher Exchange Participants and Applicants
18-40-0019	National Resource Fellowship
18-40-0020	Mutual Educational and Cultural Exchange Act—Doctoral Dissertation Research Abroad and Faculty Research Abroad, Fellows and Alternates
18-40-0021	Student Financial Assistance—Compliance Files
18-40-0022	Student Financial Assistance—Student Complaint Files
18-40-0023	Defaulted Guaranteed Loans Submitted to the Department of Justice
18-40-0024	Guaranteed Loan Program—Loan Application File
18-40-0025	NDSL Student Loan Files
18-40-0026	Guaranteed Loan Program—Paid Claims File
18-40-0027	Guaranteed Loan Program—Claims and Collection Master File
18-40-0028	Guaranteed Loan Program—Collection Letters
18-40-0029.	Guaranteed Loan Program—Inactive Loan Control Master File
18-40-0030	Guaranteed Loan Program—Loan Control Master File
18-40-0031	Guaranteed Loan Program—Pre.Claims Assistance
18-40-0032	Record of Advances of Funds for Employees Traveling for the Department of Education
18-40-0033	Department of Education Financial Management Information System
18-40-0034	Teacher Corps Application for Intern Teacher Positions
18-40-0036	Oral History of the Office of Education as Dictated by Former Commissioners of Education
18-40-0044	Guaranteed Loan Program—Insurance Claim File
18-40-0045	Student Financial Assistance Collection Files
18-40-0050	Presidential Scholars Files of Selected Participants
18-40-0077	Records of Educationally Disadvantaged Students Attending Private Schoolks Served through Bypass Contracts.
18-40-0078	Fellowships for Indian Students—Applications and Awards
18-40-0079	Potential and Actual Consultant, Field Reader, and Site Visitor Files, Indexes, and Lists
18-40-0080	Training and Development Awards for Vocational EducationPersonnel—Applications and Awards
18-40-0081	Women Administrators in Vocational Education
18-42-0016	Northwest Regional Educational Laboratory, Experience Based Career Education Record System
18-42-0019	Far West Laboratory Experience Based Career Education Records System
18-42-0056	National Institute of Education, Sources and Effects of Teacher Expectations
18-42-0065	NIE Outside Experts
18-42-0078	Travel—Official Travel of NIE Personnel
18-42-0079	NIE Controlled Correspondence
18-42-0082	National Council on Educational Research Mailing Lists
18-42-0083	National Council on Educational Research—Current and Past Information on Members of the Council and Consultants

18-01-0001

System name: Secretary's Communications Control System. ED/OS/ES.

Security classification: None.

System location: Executive Secretary to the Department, Room 4181, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals who have contacted the Secretary or Under Secretary or who have been contacted in writing by them.

Categories of records in the system: This system includes the Secretary's and Under Secretary's official files and Congressional correspondence within an Executive Secretariat, specifically hard copies of official documents signed or initialed by the Secretary or Under Secretary; also control information from the Secretary's and Under Secretary's correspondence to include a subject narrative, organization drafting the response, and type of action required from the Department. This information is also contained on computer magnetic tape, and computer disc units.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; (c) any Department employee!in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard copy filed in standard file cabinets.

Retrievability: Official files of the Secretary and Under Secretary are indexed by subject and name in addition to chronological cross-reference. Records are available to staff of the Executive Secretariat for reference purposes in staffing out issues of concern to the Secretary or Under Secretary. Certain other records are available to staff responsible for preparation of responses to inquiries, and are used for control purposes.

Safeguards: Direct access is limited to the staff of the Executive Secretariat. Access is limited during non-working hours to hard copy records to those individuals with access to file cabinets and areas where records are stored. Remote computer terminal locations are protected with individual user identification numbers and passwords to the computer system. Where possible, computer terminal locations are locked during non-working hours.

Retention and disposal: Hard copy records are maintained for three years and then retired to National Archives. Control and Congressional records are computer stored indefinitely.

System manager(s) and address: Executive Secretary to the Department, Room 4181, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Inquiries should be addressed to the system manager at the above address. The inquirer should indicate the name of the individual with whom the Secretary or Under Secretary corresponded, the date of the subject documents and should reasonably specify the subject matter of the issue involved.

Record access procedures: Same as notification procedures. (These access procedures are in accordance with Department Regulations (34 CFR Part 5 and 5.13, Subtitle A, 45 FR 30810, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Records are derived from documents signed or initialed by the Secretary or Under Secretary. Computer records are derived from the incoming correspondence for the Secretary and Under Secretary.

Systems exempted from certain provisions of the act: None.

18-01-0002

System name: Federal Advisory Committee Membership Files, ED-OASM-HR-CMO.

Security classification: None.

System location: See system manager below.

Categories of individuals covered by the system: Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Department of Education. Additionally the system of records contains information about members of the public who have requested that they receive various publications through the inclusion of their names and addresses on various mailing lists.

Categories of records in the system: Information maintained on those individuals who have requested participation on mailing lists is limited to name and mailing address. Information maintained on individuals who are past, present, or recommended members of advisory committees subject to this notice consists of one or more of the following: Name, title, sex, place and date of birth, home address, business address, organizational affiliation, phone number, degrees held, general educational background, ethnic background, resume, curriculum vitae, dates of term on advisory committee, status on advisory committee, reason for leaving advisory committee, previous or current membership on other advisory committees, special qualifications of the individual for the advisory committee membership, source who recommended the individual for membership on advisory committee and miscellaneous correspondence. Additionally, memoranda justifying the individual's selection are included in the file in cases in which the individual has served repetitively on advisory committees, has not had a one-year break in service on advisory committees, or where various statutory or other requirements for advisory committee membership cannot be met.

Authority for maintenance of the system: Federal Advisory Committee Act (5 U.S.C. Appendix I).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the President; administrative reports to OMB and GSA. In accordance with Department Regulations (34 CFR Part 5b, Appendix B, items 1 and 3). In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in file cabinets on index cards.

Retrievability: For the most part records are maintained in an alphabetical index by name of the individual. Certain files are based on other factors, e.g. Advisory Committee name, with a cross index based on an alphabetical listing of individuals. Records from the system are available to the staffs of the respective Advisory Committees and other Departmental staff on a need-to-know basis. Uses include special administrative reports; quarterly alphabetical listings of past, present and recommended members of Advisory Committees; and other administrative needs.

Safeguards: Direct access to records is restricted to authorized personnel through locked files, rooms, and buildings as well as building pass and security guard sign-in systems.

Retention and disposal: Retention is variable from one year to permanent retention depending upon the type of record, e.g., names of former members of advisory committees are retained permanently. Certain records are disposed of by referral to the Federal Records Center. Others are disposed of as trash by the system manager or office of security depending upon the confidentiality of the information contained on the record.

System manager(s) and address: Department of Education, Committee Management Officer, Room 2135, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7, 45 FR 30810, May 9, 1980).

Record source categories: The vast majority of information contained in records on individuals is obtained directly from the individual. Other information in the form of references and recommendations is obtained from other private individuals, program personnel, biographical reference books, private organizations, former employers, regional office of ED, Members of Congress, and other government sources.

18-05-0002

System name:

Elementary School Essays on the Bicentennial of the U.S. Constitution. ED/OHA/DUS.

Security classification:

None.

System location:

400 Maryland Avenue, SW., Room 3073, FOB-6, Washington, DC 20202.

Categories of individuals covered by the system:

Students in grades 1-8 whose essays on "What the CONSTITUTION Means to Me to Our Country" have been chosen by State Education Agencies, the Council for American Private Education, the Department of Defense Dependent Schools, the Bureau of Indian Affairs, and the Department of State supported schools to compete for national awards and recognition in the 1987 Elementary Essay Project to celebrate the bicentennial of the Constitution.

Categories of records in the system:

Name, home address, school name, school address, teacher's name, school district name and address and student essay. All information supplied by students.

Purpose(s):

To evaluate entries in the elementary school essay contest on the Bicentennial of the U.S. Constitution, to determine winning entries, and to disseminate the result of the competition to the public.

Authority for maintenance of the system:

5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be released to members of the national selection committee for the purpose of determining eligibility and recommending awardees and to organizations assisting in the recognition ceremonies or presenting complementary activities. Selected data may be released to subcontractors for developing and distributing a booklet containing the final 150 national representative essays and the names and schools of all the individuals whose essays were forwarded to the national selection committee for consideration. This publication will be available to the public and placed on deposit in a Federal repository. Information in this system of records may also be disclosed to a member of Congress in response to an inquiry made at the request of an individual to whom the records relate.

Disclosure to consumer reporting agencies:

Not applicable.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Contact system manager.

Storage:

The records are kept in file cabinets.

Retrievability:

The records are accessed by name, state and school.

Safeguards:

The records are maintained in file cabinets in a secured Federal building.

Retention and disposal:

The records are maintained for one year after the April 17, 1987 deadline. Records are then sent to the Federal Records Center where they are destroyed, pursuant to Federal records retention policy.

System manager(s) and address:

Deputy Under Secretary, Office of Intergovernmental and Interagency Affairs, Department of Education, Room 3073, FOB6, 400 Maryland Avenue, SW., Washington, DC 20202.

Notification procedure:

Contact system manager.

Record access procedures:

Contact system manager.

Contesting record procedures:

Contact system manager.

Record source categories:

Students submit information by completing the Official Entry Form.

Systems exempted from certain provisions of the act:

None.

18-06-0001

System name: Freedom of Information Case File and Correspondence Control Index. ED/OLPA/ES.

Security classification: None.

best copy available

System location: Room 4169, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202 (See Appendix I following).

Categories of individuals covered by the system: Individuals or organizations requesting access to inspect and/or copy records of the Department under provisions of the Freedom of Information Act.

Categories of records in the system: Control number, name, address, and other individually identifying information about the requester and the records sought.

Authority for maintenance of the system: Freedom of Information Act. Pub. L. 93–502 (5 U.S.C. 552), ED Public Information Regulation (34 CFR Part 5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information will be released for the purposes cited in Appendix B of the Department's Privacy Act regulations (34 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to affect directly the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Department of Justice has agreed to represent such employee. The Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original or copy of incoming request and written response maintained in case file jackets and corresponding control log.

Retrievability: For the most part, records are indexed by name of individual requester. Records are available to FOI staff involved in correspondence and investigative processes, including appeals officials and staff members of the Office of the General Counsel.

Safeguards: Records are maintained in Conserva-File cabinets in the office of the Freedom of Information Officer and in public affairs offices throughout the Department, with limited access.

Retention and disposal: Individual case files are maintained for two years and then disposed of.

System manager(s) and address: Freedom of Information Officer, Room 2089, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202, (See Appendix I at the end of this system (18–06–0001)).

Notification procedure: System manager. Address same as above.

Contesting record procedures: Same as under record access.

Record source categories: Individuals and organizations making request under the Freedom of Information Act or from components of the Department reporting on the handling of such requests for inclusion in the annual report to Congress.

Systems exempted from certain provisions of the act: None.

Appendix I—Regional Denial Officers

Region I: Deputy Regional Director, OCR, 140 Federal Street, 14th Floor, Boston, MA 02110

Region II: Regional Director, OCR, 26 Federal Plaza, Room 33–130, New York, NY 10278

Region III: Assistant to the Secretary's Representative, P.O. Box 13716, Philadelphia, PA 19101

Region IV: Regional Director, OCR, 101 Marietta Street, NW, Suite 2702, Atlanta, GA 30323

Region V: Education Program Specialist, Division of Dissemination, OEP, 300 South Wacker Drive, 32nd Fl., Chicago, IL 60606

Region VI: Education Program Specialist, 1200 Main Tower Building, Room 1455, Dallas, TX 75202

Region VII: Education Program Specialist, OEP, 324 East 11th Street, 9th Floor, Kansas City, MO 64106

Region VIII: Public Information Specialist, 1961 Stout Street, Denver, CO 80294

Region IX: Education Program Specialist, OEP, 50 United Nations Plaza, San Francisco, CA 94102

Region X: Education Program Specialist, OEP, 1321 Second Avenue, Mail Stop 1516, Seattle, WA 98101

18–06–0002

System name: Biographies and Photographs of ED Officials. ED/OLPA.

Security classification: None.

System location: Office of the Assistant Secretary for Public Affairs, News Division, Room 2097, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: ED employees in key management and technical positions, such as the Secretary, Under Secretary, Assistant Secretaries, Deputy Assistant Secretaries, Unit Managers.

Categories of records in the system: Biographical files consist of approved, printed personal and professional resumes and standard portrait pictures and biographical and professional questionnaires providing name, title, office location, telephone number, date of appointment to ED, date of birth, place of birth, marital status, spouse's name, children's names, education, military service, professional career data, professional affiliations, publications and articles authored, awards, citations, prizes and honors received, civic, social and fraternal associations, outside interests, such as hobbies, sports, recreation.

Authority for maintenance of the system: 5 U.S.C. 301.

Purpose(s):

These records are maintained and made available to the media and staff of the Department who have a need for photographs or background information on top officials of ED.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual and combined files and stored in standard five-drawer file cabinets.

Retrievability: Records are indexed by the name in alphabetical order. These records are made available to the media and staff of the Department who have a need for photos or background information on these officials.

Safeguards: Files are maintained in the Office of Legislation and Public Affairs and requests are honored on a "need to know" basis only.

Retention and disposal: Records are periodically updated as circumstances warrant relative to promotions, reassignment, resignations, death.

System manager(s) and address: Office of Public Affairs, News Division, Room 2097, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Records are provided by individuals who are, therefore, aware their records are being maintained.

Record access procedures: Requesters should reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980.

Contesting record procedures: Contact the system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR, 45 FR 30810, May 9, 1980).

Record source categories: Individuals provide some information, other material is furnished by agency public information offices. The biographies are cleared with the individuals whose biography they represent prior to release to the public and the news media.

Systems exempted from certain provisions of the act: None.

18–07–0002

System name: Congressional Correspondence Control System ED/OLPA/CS.

Security classification:

None.

System location:

400 Maryland Avenue SW, FOB-6—Room 4119, Washington, D.C. 20202.

Categories of individuals covered by the system:

Members of Congress indexed by name.

Categories of records in the system:

Control information recording, direct inquiries and referrals of constituents' inquiries from Members of Congress, and responses to those inquiries, regarding the Department's activities, including, but not necessarily limited to:

a. General program activities of the Department;

b. Individual case problems of named persons, families or institutions;

c. Employment or appointment interests; and

d. Control slips identifying the correspondent, the constituent on whose behalf the inquiry is made and a summary of the subject of the inquiry.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

To provide response to inquiries from a member of Congress made on behalf of a constituent regarding the Department's activities, including, but not limited to general program activities of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Inquiries which do not pertain to ED, but fall under the jurisdiction of another Federal Agency, are transferred to the Agency with a request that a direct response be provided to the correspondent. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in hard copy filed in standard file cabinets.

Retrievability:

Records are indexed alphabetically by name of the members of Congress. Inquiries are forwarded to the ED office which has jurisdiction over the subject matter for preparation of a response.

Safeguards:

Records are kept in the responsible Department Office with access limited to those whose official duties require access. The computer terminal is protected with individual user identification numbers and passwords to the computer system.

Retention and disposal:

Records are maintained for two years.

System manager(s) and address:

Director, Congressional Services, 400 Maryland Avenue SW, FOB-6, Room 4119, Washington, D.C. 20202.

Notification procedure:

Inquiries should be addressed to the system manager at the above address. The inquirer should indicate the name of the member of Congress who corresponded with the Department, the name of the referenced constituent, the subject matter, and the date of the correspondence.

Record access procedures:

Same as notification procedures. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5 and 5b.13, 45 FR 30810, May 9, 1980).

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories:

The information in CCU files is provided by the correspondent and by the agency which prepares the final response.

Systems exempted from certain provisions of the Act:

None.

18-08-0001

System name: Case Information Management System. ED/OCR.

Security classification: None.

System location: See Appendix I at the end of this system (18-08-0001).

Categories of individuals covered by the system: Persons filing complaints with the Office for Civil Rights.

Categories of records in the system: Name, characteristics of complaint and critical events in OCR's processing of the complaints.

Authority for maintenance of the system: Title VI of the Civil Rights Act of 1964, Title IX and VII of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 and Age Discrimination Act of 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Report on current status of complaint processing. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk and tape.

Retrievability: Records are indexed by case or complaint number, but may be recalled by name, address, or any other characteristics by OCR staff engaged in compliance activities.

Safeguards: The physical data processing storage is controlled by the Department of Health and Human Services, Data Management Center and Office for Civil Rights ADP personnel using Standard appropriate security methods. This agency references data through communication terminals with access controlled by passwords.

Retention and disposal: Indefinite retention. Disposal by electronic erasure.

System manager(s) and address: Deputy Assistant Secretary for Planning and Compliance Operations, Room 5074, Switzer, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager in preceding paragraph. Provide name, address, and name of institution, contractor, or ED program with which individual has contract.

Record access procedures: Same as notification procedures: Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980.)

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980.)

Record source categories: Information in complaint investigation files.

Systems exempted from certain provisions of the act: None

Appendix I:

This system is located at ED offices in the following cities:

ED Office for Civil Rights, Room 5074, Switzer Bldg., 400 Maryland Avenue, SW, Washington, D.C. 20202

Region I, Regional CR Director, 140 Federal Street, Boston, MA 02110

Region II, Regional CR Director, 26 Federal Plaza, New York, NY 10007

Region III, Regional CR Director, Post Office Box 13716, 3535 Market Street, Philadelphia, PA 19101

Region IV, Regional CR Director, 101 Marietta Street, Atlanta, GA 30303

Region V, Regional CR Director, 300 South Wacker Drive, 8th Fl., Chicago, IL 60606

Region VI, Regional CR Director, Plaza Nine Building, 55 Erieview Plaza, Cleveland, OH 44114

Region VII, Regional CR Director, 1200 Main Tower Building, Dallas, TX 75202

Region VIII, Regional CR Director, 12 Grand Building, 1150 Grand Avenue, Kansas City, MO 64106

Region IX, Regional CR Director, Federal Building, 1961 Stout Street, Denver, CO 80294

Region X, Regional CR Director, 1275 Market Street, 14th Floor, San Francisco, CA 94103

Region XI, Regional CR Director, 1321 Second Avenue, MS/723, Seattle, WA 98101

18-08-0002

System name: Complaint Files and Log, Office of Planning and Compliance Operations. ED/OCR/OPCO.

Security classification: None.

System location: See Appendix I to Case Information Management System, ED/OCR SYSTEM 18-08-0001.

Categories of individuals covered by the system: Individuals who file complaints with the Department concerning discrimination under Title VI, Title IX, and Section 504 of the Rehabilitation Act and Age Discrimination Act of 1975.

Categories of records in the system: Complaint allegation, results of investigation of the allegation, correspondence related to the complaint.

Authority for maintenance of the system: Title VI of the Civil Rights Act; Title IX of the Education Amendments of 1972; Emergency School Assistance Act; Section 504 of the 1973 Rehabilitation Act and the Age Discrimination Act of 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files are maintained to record the results of the investigation so that OCR can determine if there was discrimination as charged in the original complaint. Files may be referred, as necessary, for similar purposes to the Departments of Justice, and Labor of the Equal Employment Opportunity Commission. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By name for use by OCR staff in complaint investigations.

Safeguards: Printed materials are filed in lockable cabinets. The Department's Regulations (ADP Systems Security, part 6) govern the control.

Retention and disposal: 2 years.

System manager(s) and address: Deputy Assistant Secretary for Planning and Compliance Operations, Room 5074, Switzer, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager (above). Include name and address of complainant, a copy or summary of allegations contained in the original complaint, name of the institution against which the allegation was filed, and the date of the original allegation.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)) 45 FR 30810, May 9, 1980.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980.

Record source categories: Complaint information filed with the Department by or on behalf of the individual complainant, also data provided by the alleged discriminator and other parties.

Systems exempted from certain provisions of the act: None.

18-09-0001

System name: Administrative Claims. ED/OGC.

Security classification: None.

System location: Office of General Counsel, Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: ED employees, recipients of Federal assistance under ED funded programs, and members of the public who have a claim against ED or against whom ED has a claim—Federal Torts Claims Act, Military Personnel and Civilian Employees Claims Act, Federal Claims Collection Act, Act for Waiver of Overpayment of Pay.

Categories of records in the system: Information that is pertinent to the particular claim being asserted, including accident reports, hospital records, charges for medical service; certifications of overpayments, audits of payroll accounts during period of overpayments, earning and leave statements; claims officers memorandum, final determinations made on claims, identity of debtors and information pertaining to how debts arose.

Authority for maintenance of the system: Federal Torts Claims Act (28 U.S.C. 2671-2680, 1346(b); Waiver of Overpayment of Pay Act (5 U.S.C. 5584; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240 et seq.; Federal Claims Collection Act, 31 U.S.C. 951-953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses of these records are primarily for adjudicating claims between the U.S. and private parties. Records are used in communicating with, among other, Federal, State, and local law enforcement agencies, private individuals, private and public hospitals, allegedly negligent parties, private attorneys, insurance companies, the United States Attorney and other Federal officials and agencies, individual law enforcement officers, and tribal officials. These communications are all for the purpose of investigating, settling, or litigating claims. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose a record for the purposes described in Departmental Regulations (34 CFR Part 5b, Appendix B, items: (1), (3), (4), (5), (8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal size files in filing cabinets.

Retrievability: Retrieved by name of the non-Government party, whether claimant, plaintiff, or alleged debtor. In some instances, these records are retrievable by cross reference to index cards, containing name of the party involved and the subject matter.

Safeguards: Office buildings in which files are kept are locked after the close of the business day. These files are only accessible to General Counsel staff.

Retention and disposal: The records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the system policies and practices outlined above is: The General Counsel, Department of Education, Office of the General Counsel, Room 4091, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be addressed to the system manager. (These notification and access procedures are in accordance with Department Regulations (34 CFR 5b.5) Federal Register, May 9, 1980, page 30809.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980.

Record source categories: The information in this system comes from a number of sources including private individuals, private and public hospitals, doctors, law enforcement agencies and officials, private attorneys, accident reports, third parties, claimants for beneficiaries and their relatives, other Federal agencies, State and local governments, agencies and instrumentalities.

Systems exempted from certain provisions of the act: None.

18–09–0002

System name: OGC-Attorney Applicant Files. ED/OGC.

Security classification: None.

System location: See system location on the Administrative Claims System, 18–09–0001.

Categories of individuals covered by the system: Current Attorney Applicants for positions in the Office of the General Counsel.

Categories of records in the system: The Attorney Applicant system consists of a variety of records relating to persons applying for attorney positions. These records contain information about an individual's birth date; home address; telephone number; social security number; educational background (e.g., law schools attended and grades); past work experience; writing samples furnished on request; recommendations from past employers and academic officials.

Authority for maintenance of the system: 5 U.S.C. 3301 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, alphabetized by name, and in some cases the records are separated by individual law school affiliation and by the date the application is received. In some instances records are located in lockable conserva-file cabinets and in a locked secured room with access limited to those officials whose duties require access. In other instances records are maintained in file rooms or with other Office of General Counsel files.

Retrievability: These records are retrievable by name.

Safeguards: Access is limited to those ED officials whose duties require access.

Retention and disposal: These records are retained in a current system for one year, and in some instances two years, after which time they are discarded.

System manager(s) and address: The agency official responsible for the systems policies and practices outlined above is: The General Counsel, Department of Education, Office of the General Counsel, Room 4091, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be addressed to the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: Information in this system of records comes from the individual to whom it applies, law school officials and past employers.

Systems exempted from certain provisions of the act: None.

18–09–0003

System name: Conflict of Interest—Standards of Conduct Records. ED/OGC.

Security classification: None.

System location: See system location on the Administrative Claims System, 18–40–0062.

Categories of individuals covered by the system: Information about current and past ED employees who are or have been the subject of conflict of interest or standards of conduct inquiries or determinations.

Categories of records in the system: These records include information relating to acceptance or offer of gifts, entertainment and favors, outside employment; financial interests; use of government funds, property or official information; partisan political activity; or other matters relating to ethical standards of conduct.

Authority for maintenance of the system: 18 U.S.C. 202, 203, 205, 207, 208, 209; Executive Order 11222; and 5 CFR Parts 735, 104; 34 CFR Part 73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose a record for the purposes described in Departmental Regulations (34 CFR Part 5b, Appendix B, items: (1), (3), (4), (5), (8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are kept in legal size files in filing cabinets.

Retrievability: These records are retrievable by name in most cases. In some instances, these records are retrievable by cross-reference to index cards containing the name of the party involved and the subject matter.

Safeguards: These records are only accessible to General Counsel staff. Office buildings in which these records are maintained are locked after the close of the business day.

Retention and disposal: The records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the systems policies and practices is: The General Counsel, Department of Education, Office of the General Counsel, Room 4091, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be addressed to the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: The information contained in this system comes from the individuals involved and from appropriate Department officials.

Systems exempted from certain provisions of the act: None.

18–09–0004

System name: Federal Private Relief Legislation. ED/OGC.

Security classification: None.

System location: See system location on the Administration Claims System, 18–40–0062.

Categories of individuals covered by the system: Private individuals, groups, or institutions for whom a United States Congressman or Senator has introduced a private relief bill.

Categories of records in the system: Background which gives rise to the individual's, group's, or institution's claim for private relief legislation.

Authority for maintenance of the system: 5 U.S.C. 301; OMB Circular A-19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information is used to prepare reports to the Congress, most commonly to the Judiciary Committees of the Senate and the House of Representatives, which reports are thereafter made available to the public under the provisions of 5 U.S.C. 552. In connection with the preparation of those reports, the information contained in this system of records will, as a routine use be disclosed to officers and employees of the Office of Management and Budget in connection with the review of private relief legislation contained in OMB Circular No. A-19 at various stages of the legislative coordination and clearance process as contained in that Circular, and may, as routine use, be disclosed to officers, or employees of agencies (as defined in 5 U.S.C. 551(i) and 552(e) other than the agency that maintains the record. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders kept in legal size filing cabinets.

Retrievability: By bill number using card systems maintained by name and by subject.

Safeguards: Immediate access to these records is only by authorized staff. Building is locked at close of business.

Retention and disposal: Retained indefinitely either at system location or at Federal Records Center where files are sent on a regular, predetermined schedule.

System manager(s) and address: The General Counsel, Office of the General Counsel, Department of Education, Room 4091, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding the records in question should be made to the system manager.

Record access procedures: Same as notification procedures. Requester should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7, 45 FR 30810, May 9, 1980).

Record source categories: The information in this system comes from the principal operating components of the Department, the Office of the Secretary, Congressional Committees, individual Congressmen and Senators, and, in some cases, the subject individual, group or institution.

Systems exempted from certain provisions of the act: None.

18-09-0005

System name: Litigation Files, Administrative Complaints, and Adverse Personnel Actions. ED/OGC.

Security classification: None.

System location: See system location on the Administrative Claims System, 18-09-0001.

Categories of individuals covered by the system: The individuals on whom records are maintained in this system are individuals who are involved in litigation with the Department or the United States (regarding matters within the jurisdiction of the Department) either as plaintiffs or as defendants in both civil and criminal matters, and individuals who either file administrative complaints initiated by the Department, except claims which are the subjects of records maintained in the Administrative Claims System, 18-40-0062.

Categories of records in the system: These records contain information pertaining to the subject matter of the litigation, administrative complaint, or adverse personnel action. Such records would include complaints, litigation reports, administrative transcripts, various litigation documents, investigative materials, correspondence, briefs, court orders and judgments, and in cases where personal injury is involved, evaluations by physician specialists.

Authority for maintenance of the system: The authority for maintaining this system are the various statutes, regulations, rules or orders pertaining to the subject matter of the litigation, administrative complaint or adverse personnel action, (e.g., Civil Rights Act, Federal Torts Claim Act).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose Department Regulations (34 CFR Part 5b, Appendix B, items: (1), (3), (4), (5), (8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records consist of legal size files stored in file cabinets.

Retrievability: These records are retrievable by name of the plaintiff or the first plaintiff if there is more than one, or by the name of the first defendant if the plaintiff is the United States. In the case of adverse personnel actions, records are retrievable by name of the individual involved.

Safeguards: Office buildings in which these records are maintained are locked after the close of the business day. These records are only accessible by General Counsel staff.

Retention and disposal: These records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the system policies and practices outlined above is: The General Counsel, Department of Education, Office of the General Counsel, Room 4091, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be addressed to the system manager. Any individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with the Department Regulations (34 CFR 5b.5) 45 FR 30809, May 9, 1980).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: The information for this system is obtained through a number of sources including the exchange of legal pleadings, documents, formal and informal discovery, program offices and component agencies, private attorneys, State and local governments, their agencies and instrumentalities, and officers of other Federal agencies and the individuals involved.

Systems exempted from certain provisions of the act: None.

18-10-0002

System name:

Investigatory Material Compiled for Personnel Security and Suitability Purposes. ED/OIG.

Security classification:

None for the system; however, a portion of the records within the system is classified.

System location:

Office of the Inspector General; U.S. Department of Education, Room 4200, Switzer Building, 330 C Street SW, Washington, D.C. 20202.

Categories of individuals covered by the system:

Applicants, former employees, employees, and others doing business with the Department.

Categories of records in the system:

Security investigations case files.

Authority for maintenance of the system:

Executive Order 10450, as amended.

Purpose(s):

Records in this system are maintained to assist the Inspector General and other responsible officials in determining whether the appointment and retention of ED employees is consistent with the national security and whether they are otherwise suitable for employment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used as follows: (1) In the event that this system of records indicates a violation or potential violation on law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (2) A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter; (3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant therein, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (4) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual; (5) In the event of litigation where the defendant (one of the parties) is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in security-type vaults or safes or lock bar file cabinets with manipulation-proof combination locks.

Retrievability:

The records are alphabetically indexed by name of the individual subject of the file or by cross reference to another file. Access within ED is limited to the Secretary, and on a need-to-know basis to other officials having program management responsibility.

Safeguards:

Access is restricted to authorized staff members and other officials and employees on a need-to-know basis. Direct access to the safes in which the records are stored is limited to security personnel.

Retention and disposal:

Security investigative records on individuals who occupy sensitive positions are maintained during the term of their employment. Other security investigative records are maintained for ten years if subject to Executive Order 10450, as amended. All other files are destroyed after three years.

System manager(s) and address:

Inspector General/Assistant Inspector General for Policy, Planning, and Management Services, U.S. Department of Education, Room 4200 Switzer Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedures:

Exempt; however, consideration will be given requests addressed to the system manager. For general inquiries, include the name and date of birth of the individual.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the record contents being sought. (These access procedures are in accordance with the Department's Privacy Act Regulations (34 CFR 5b.5(a)(2)).

Contesting record procedures:

Contact the official at the address specified under system manager(s) and address above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with the Department's Privacy Act Regulations (34 CFR 5b.7)).

Record source categories:

Department and other Federal, State and local Government records; interview of witnesses; documents and other material furnished by non-Government sources. Sources may include confidential sources.

Systems exempted from certain provisions of the Act:

As indicated in 34 CFR 5b.11(b)(2)(iv)(A) individuals will be provided information from this record system except when in accordance with the provisions of 5 USC 552a(k)(5): (1) Disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or (2) if the information was obtained prior to September 27, 1975, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence.

18-10-0001

System name: Investigative Files of the Inspector General ED/OIG.

Security classification: None.

System location: Office of the Inspector General, U.S. Department of Education, Room 4200-Switzer Building, 300 C Street, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Persons doing business with the Department, including but not limited to current and former employees, grantees, sub-grantees, contractors, subcontractors, State and local government employees, providers and recipients under ED programs; and providers and recipients under State programs funded by the Department.

Categories of records in the system: Criminal investigation files.

Authority for maintenance of the system: Pub. L. 95-452, October 12, 1978, as amended (5 U.S.C. Appendix I) and 5 U.S.C. 301.

Purpose(s):

Pursuant to Pub. L. 95-452, the system is maintained for the purposes of conducting and documenting criminal investigations by the OIG or other investigative agencies regarding ED programs and operations, documenting the outcome of OIG investigations, maintaining a record of the activities which were the subject of investigations, reporting the results of investigations; to other Departmental components for their use in operating and evaluating their programs and in imposition of civil or administrative sanctions, and acting as a repository and source for information necessary to fulfill the reporting requirements of Pub. L. 95-452, Section 8 (5 U.S.C., Appendix I).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) In the event that this system of records, maintained by this Agency to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside of OIG; (b) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice; (c) A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (d) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter (e) In the event that this system of records, maintained by this agency to carryout its function, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside of OIG; (f) Where Federal agencies having the power to subpoena other Federal agencies, records (such as the Internal Revenue Service or the Civil Rights Commission), issue a subpoena to the Department for records in this system of records, the Department will make such records available; (g) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation, determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records; (h) When the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining, records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records; (i) Disclosures may be made to ED organizations deemed qualified by the Secretary to carry out quality assessment; (j) There may also be disclosures in the course of empoyee discipline or competence determination proceedings; (k) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of the individual, (l) In event of litigation where the defendant is (1) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (2) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (3) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected, (m) A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records, if necessary to obtain a record relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records, which take the form of index cards, investigative reports, computer disk files, and computer printed listings are maintained under secure conditions. Computer disk files are off-line and are stored in fireproof safes when not in use.

Retrievability: The records are retrieved by manual or computer search of alphabetical indices or cross-indices. Indices list names of individuals, companies and organizations.

Safeguards: Access is restricted to authorized staff members of the Office of Inspector General and other officials and employees on a need-to-know basis.

Retention and disposal: Criminal investigative files are retained for 5 years after completion of the investigation and/or actions based thereon. Index and cross-reference cards are retained permanently. In instances of computer matching of files, only those records which meet predetermined criteria for investigation are maintained. Personnel security files will be maintained for 15 years after the subject terminates employment with the Department in accordance with OPM requirements. All records which do not meet these criteria are destroyed. All original source computer tapes are returned or destroyed once computer matching has been accomplished.

System manager(s) and address: Inspector General/Assistant Inspector General for Policy, Planning and Management Services, U.S. Department of Education, Room 4200, Switzer Building, 330 C Street, SW, Washington, D.C. 20202.

Notification procedure: Exempt, however consideration will be given requests addressed to the system manager. For general inquiries include the name and date of birth of the individual.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under system manager(s) and address above, and reasonably indentify the record and specify the information to be contested. (These procedures are in accordance with Department Regulation (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: Departmental and other federal, state and local government records; interviewers of witnesses; documents and other material furnished by nongovernment sources. Sources may include confidential sources.

Systems exempted from certain provisions of the act: General exemption (J)(2) under 34 CFR 5b.11(b)(2)(i)(A), 45 FR 30808, May 9, 1980, criminal investigation files are exempt from the following subsections of the Act (c)(3), (d) (1)–(4), (e)(3) and (e)(4) (G) and (H). This system was formerly known as the Investigatory Materials compiled for Law Enforcement Purposes System.

18–11–0001

System name: Department of Education Motor Vehicle Operator Records, ED/OASM.

Security classification: None.

System location: Personnel offices of the Department shown in Applicants for Employment Records. Issuing Officers for Motor Vehicle Operator Identification Cards within the organizations serviced by the above personnel offices.

Categories of individuals covered by the system: All Department employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system: The ED Motor Vehicle Operation Records System consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license number, state issuing driver's license, date license expires, restrictions of state license, sex, date of birth, color of hair, color of eyes, weight, height, record of arrests, and record of accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used: In accordance with Departmental Regulations (34 CFR Part 5b), Appendix B, Items 01,3,4,5,6,7,8,9. By the Office of Personnel Management in carrying out its functions. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in Official Personnel Folder in file folders and index cards.

Retrievability: Records are retrievable by name. Information is used as a basis for issuing a SF-46 "U.S. Government Motor Vehicle Operator's Identification Card" and evaluating its use. It may also be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained for three years after the individual's government motor vehicle operator's permit expires, or the individual leaves the Department, and are then destroyed. (See DOE Personnel Instruction 293-1, Exhibit S293-1-1, item 24.)

System manager(s) and address: Personnel Officers of the Department shown in Applicants for Employment Records, DOE System 18-11—0007, Appendix 1.

Notification procedure: Issuing officers in organizational units in which employed or systems managers shown above. Individual should provide name and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: Information contained in this system of records is obtained: (1) From information supplied by the individual, or (2) derived from information supplied by the individual, or (3) from information supplied by officials of the Department.

Systems exempted from certain provisions of the act: None.

18-11-0002

System name: Departmental Parking Control Policy. ED/OASM/PARM.

Security classification: None.

System location: Director, Office of Administrative Resources Management, Room 1177, FOB No. 6. ED/OARM, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Offices of Manager for Parking Control at ED facilities where ED parking is provided.

Categories of individuals covered by the system: All ED employees as well as any carpool member utilizing parking facilities.

Categories of records in the system: This system includes the following information on all persons applying for a parking permit: Name, office room number, office phone number, agency, home address, and automobile license number.

Authority for maintenance of the system: 63 Stat. 377; 41 CFR 101-20.111.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in binders in file cabinets.

Retrievability: Records are filed alphabetically by location. The purpose of the Departmental Parking Policy is to provide standards for apportionment and assignment of parking spaces on Department-managed and Department-controlled property and on property assigned to the Department by GSA or any other Agency and to allocate and check parking spaces assigned to government vehicles, visitors, handicapped personnel, key personnel, car-pools, and others.

Safeguards: Access to and use of these records are limited to personnel whose official duties require access.

Retention and disposal: Superseded policy materials are maintained by the Director, OARM for historical purposes. Records at other ED locations are maintained until the Parking Control purpose has been met, and the records are then destoryed.

System manager(s) and address: Director, OARM, Room 1077, FOB No. 6, ED/Deputy Assistant Secretary Human Resources, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Access to these records may be obtained by request in writing to: Office of Manager for Parking Control at ED facility where ED parking is provided.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: Information in this system comes from reports from ED Staff, POC's and Regions, GSA-Federal Management circulars and Federal Property Management Regulations.

Systems exempted from certain provisions of the act: None.

18-11-0003

System name: Family Educational Rights and Privacy Act—School Recordkeeping Practices, Correspondence and Complaint System. ED-OASM-EPM-DEDC-FERPA.

Security classification: None.

System location: U.S. Department of Education, Room 4512 Switzer Building, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals who have made inquiries or who have filed complaints alleging violations of the provisions of the Family Educational Rights and Privacy Act of 1974; and those who have commented to the Department on its proposed rules and practices.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of materials associated with investigations of complaints.

Authority for maintenance of the system: The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Members of Congress who inquire on behalf of a constituent; to an educational agency or institution against which a complaint has been made. A disclosure may be made for the purposes described in Departmental Regulations (34 CFR Part 5b, Appendix B, Items: 1, 3, 8). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard lockable file cabinets.

Retrievability: For the most part records are indexed by name of individual signing incoming correspondence; when indexed chronologially, or by organization, they are cross-indexed by name of individual signer. Records are available to FERPA staff involved in correspondence and investigative processes, including members of the Office of General Counsel. Occasionally, personnel with special expertise in other program areas may be given records for the purpose of assisting FERPA staff in resolution of issues.

Safeguards: Direct access is restricted to authorized FERPA staff; access to rooms in which files are maintained is limited during nonworking hours to those with keys to rooms and the main files are left in locked file cabinets when not in use.

Retention and disposal: Inquiry records are maintained a minimum of three years; complaint and investigative records are maintained a minimum of five years past date of case closing.

System manager(s) and address: Director, FERPA Office, U.S. Department of Education, Room 4512 Switzer Building, Washington, D.C. 20202.

Notification procedure: System manager. For general inquiries, name and date of previous correspondence, if known, for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7, 45 FR 30810, May 9, 1980).

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

18–11–0005

System name: Safety Management Information System. (ED Accident, Injury and Illness Reporting System). ED/ASM.

Security classification: None.

System location: At Departmental Regional and Headquarters facilities (see Appendix 1).

Categories of individuals covered by the system: (1) ED employees who are involved in an accident which arises in the course of their employment whether occurring on ED premises or not and results in: (a) A fatality; (b) lost workdays beyond the day in which the accident occurred; (c) nonfatal injuries which result in transfer to another job, termination of employment, medical treatment other than first aid, loss of consciousness or restriction of work or motion; (d) a possible tort claim; (e) a claim for compensation; (f) property damage in excess of 50.00 dollars; (g) interrupts or interferes with the orderly progress of work of other employees; (h) radiation overexposure; (1) biological exposure resulting in lost time or accidental release of biologicals where the public may be over-exposed. (2) Visiting educators, contractor personnel, employees of other Federal agencies, state or local governments or members of the public who suffer injury, illness or property damage on or in ED premises or as a result of ED activities.

Categories of records in the system: This system consists of a variety of information and supporting documentation resulting from the reporting and investigation of accidents which have resulted in injury, illness, property damage or the interruption or interference with the orderly progress of work. The records contain information about individuals involved in or experiencing accidents including but not limited to the severity of the injury, whether consciousness was lost, the type of injury, culmination of any injury, days lost from work if any, the nature of the injury, illness or disease, the body part affected, causal factors, weather factors, agency of accident, whether unsafe mechanical, physical, or personal acts or factors were involved, the accident's area of origin and if fire was involved, the type and form of materials involved. Property damage (both public and private) is noted through the property sequence number, who owned the property involved, property damage and actual or estimated monetary loss, the ED installation number if appropriate and the year of manufacture or construction if appropriate. Identifiers related to a paticular accident include the organization, case number assigned, date and time of occurrence, state of territory, site, type and classification of accident, estimated amount of tort claims if appropriate, name of individual(s) involved, the social security number, sex, age, grade, series and level, CSC series, address, other Departments notified of accident, duty status, activity at time of accident and time on duty before accident. Management's evaluation and corrective action taken or proposed is also noted.

Authority for maintenance of the system: Section 19 of the Occupational Safety and Health Act of 1970 (Pub. L. 91–596); U.S.C. 7902; 29 CFR Part 1960, Executive Order No. 12196.

Purpose(s):

The purpose of the system is to comply with the reporting and statistical analyses requirements of section 19 of the Occupational Safety and Health Act of 1970 (Pub. L. 91–596) as amended (29 U.S.C. 668); U.S.C. 7902; 29 CFR Part 1960; Executive Order 12196 and such other purposes as are described under routine uses of this system notice. The Safety Management Information System is a Department-wide system utilized by all organizational components of the Department. Thus, in addition to the routine uses subsequently noted in this system notice, there may be other ad hoc disclosures within the Department on an official business "need to know" basis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition.

To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

Disclosures in the course of employee discipline or competence determination proceedings.

To request from a Federal, State, local agency or private sources information relevant to the investigation of an accident and/or corrective action.

To respond to an inquiry from a member of Congress made on behalf of a constituent.

In the event of litigation where (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity were the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, state or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

Where the Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will made such records available.

Where a contract between a component of the Department and a labor organization recognized under E.O. 12196 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are or may be maintained on magnetic tapes, punchcards, lists, forms, disks, computer storage, in file folders, binders and index cards.

Retrievability: (1) At the Departmental level, the system is completely computerized with no other records normally maintained or retained in the Office of the Assistant Secretary for Management. While individual indentifiers such as name, case number, and social security number are within the computer storage banks, special programming would be required to extract individual records. Normal output consists of statistical reports and surveys based on case number including those required by the Department of Labor and Statistical Analysis in support of the Departmental occupational safety and health program for dissemination to the Principal Operating Components, Regions and Staff Offices.

(2) The Principal Operating Components of the Department, their sub-components, Regional Offices and Staff Offices may maintain original or copies of the accident reports and supporting documentation by name, social security number, case number or cross reference.

(3) Establish a written record of the causes of accidents.

(4) Provide information to initiate and support corrective or preventive action.

(5) Provide statistical information relating to accidents resulting in occupational injuries, illnesses, and/or property damage.

(6) Provide management with information with which to evaluate the effectiveness of safety management programs.

(7) Provide the means for complying with the reporting requirements of Section 19 of the Occupational Safety and Health Act of 1970 and such other reporting requirements as may be required by legislative or regulative requirements.

(8) Provide such other summary descriptive statistics and analytical studies as necessary in support of the function for which the records are collected and maintained including general requests for statistical information without personal identification of individuals.

(9) Information in these records is used by or may be disclosed to: (a) The Assistant Secretary for Management, Office of the Secretary, ED in the review of accident experience data to determine the adequacy of corrective actions, the effect of codes, standards and guides, the consolidation, summarization and dissemination of accident experience data throughout ED and other Government Departments and agencies as needed or required; (b) The supervisor, administrative officer or other official initiating an accident report, including each succeeding reviewing official in the chain of command through which the report passes to insure that corrective action, as needed and appropriate is taken; (c) Appropriately appointed Safety Directors, Officers, or others with safety responsibilities within the Department in the verifying, assembling, analyzing, summarizing and disseminating data concerning the accident experience in their areas of responsibility and the initiation of appropriate corrective action.

Note.— If this statement is published prior to the establishment of an ADP system within the Department to handle our SMIS reporting, the following should be inserted at this point.

(d) Employees of HHS responsible for the maintenance and retrieval of the above information pertinent to ED employees, as necessary to carry out this function.

Safeguards: Access to and use of these records is made available to those personnel having a legitimate need for the information (those whose duties require review or access) including inspecting or evaluating personnel. Records, which under the law, may not be disclosed such as information pertinent to national security or trade secrets are maintained separately, adequately safeguarded and released only in accordance with the law. When there is doubt regarding the release of information, the matter will be referred, in advance to the Office of the General Counsel, ED.

Retention and disposal: All accident reports, records, logs, and other information relating to an accident are retained by the Principal Operating Components and their agencies, the Regional Offices and the Office of the Secretary for at least ten years following the end of the calendar year in which the accident occurred. Specific occupational safety and health standards (such as the standards covering the handling of carcinogenic chemicals) may be required to be kept for up to twenty years. Records may be retained indefinitely.

System manager(s) and address: The SMIS system at the present time is being maintained by the Department of HHS under an Inter-Agency Agreement.

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should address their inquiries to one of the following as appropriate: (1) If employed or formerly employed in HEW Region Office, the Regional Occupational Safety and Health Manager of the Regional involved (see list and addresses under appendix at the end of this system (18–11–0005)). (2) If employed or formerly employed in a HEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed (see list and addresses under appendix for this system (18-11-0005)). Individuals requesting information in this system of records should provide their full name, social security number (on a purely voluntary basis), name and address of office and agency in which currently or formerly employed, the accident(s) case number if known, and the time and a brief description of the accident in which they were involved.

Record access procedures: Individuals wishing to gain access to or contest their records should contact the following in person, or by writing, as appropriate (See "notification procedures" above). Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5, 45 FR 30808, May 9, 1980.))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.5(b)(7), 45 FR 30810, May 9, 1980)).

Record source categories: The information in this system is obtained from the following sources: (a) The individual to whom the record pertains; (b) witnesses to the accident; (c) investigation officials (Federal, State, local); (d) medical personnel seeing the individual as a result of the accident; (e) supervisory personnel; (f) reviewing officials; (g) personnel offices; (h) investigate material furnished by Federal, State, or local agencies; and (i) on-site observations.

Systems exempted from certain provisions of the act: None.

Appendix for 18–11–0005

Regions, at the present time, are being serviced by the Department of HHS under an Inter-Agency Agreement.

Region I: HHS Regional Safety and Occupational Health Manager, John F. Kennedy Federal Building—Room 1503, Government Center, Boston, Massachusetts 02203

Region II: HHS Regional Safety and Occupational Health Manager, Federal Building—Room 3835, 26 Federal Plaza, New York, New York 10007

Region III: HHS Regional Safety and Occupational Health Manager, 3535 Market Street, Philadelphia, Pennsylvania 19101

Region IV: HHS Regional Safety and Occupational Health Manager, 101 Marietta Tower, Suite 1503, Atlanta, Georgia 30323

Region V: HHS Regional Safety and Occupational Health Manager, 300 South Wacker Drive—35th Floor, Chicago, Illinois 60606

Region VI: HHS Regional Safety and Occupational Health Manager, 1200 Main Tower Building, Dallas, Texas 75202

Region VII: HHS Regional Safety and Occupational Health Manager, 601 East 12th Street—Room 506, Kansas City, Missouri 64106

Region VIII: HHS Regional Safety and Occupational Health Manager, 1961 Stout Street—Room 11037, Denver, Colorado 80202

Region XI: HHS Regional Safety and Occupational Health Manager, Federal Office Building—Room 8, 50 United Nations Plaza, San Francisco, California 94102

Region X: HHS Regional Safety and Occupational Health Manager, Arcade Plaza—Room 6003, 1321 Second Avenue, Seattle, Washington 98101

Health Care Financing Administration: Safety Officer, A-1 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Woodlawn, Maryland 21207

Social Security Administration: Director, Occupational Health Management, Room 8, Second Floor, Link Building, 6401 Security Boulevard, Baltimore, Maryland 21235

Office of the Secretary, HHS, Safety Officer, Room 1073, HHS North Building, Department of Health and Human Services, 300 Independence Avenue, SW, Washington, D.C. 20201

Public Health Service: Director, Division of Health Facilities Planning, Room 18-42—Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852

Alcohol, Drug Abuse, and Mental Health Administration: Safety Officer, Room 12C26—Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852

Center for Disease Control: Chief, Office of Biosafety, Building 4—Room 232, 1600 Clifton Road, NW, Atlanta, Georgia 30333

Food and Drug Administration: Privacy Act Coordinator, Rockville, Maryland 20852

Health Resources Administration: Safety Officer, Room 129, Federal Center Building 2, 3700 East/West Highway, Hyattsville, Maryland 20782

National Institutes of Health: Associate Director, Environmental Health and Safety, Division of Research Sciences, Room 4051—Building 12A, 9000 Rockville Pike, Bethesda, Maryland 20014

18-11-0006

System name: Telephone Directory/Locator System. ED/OASM.

Security classification: None.

System location: Operating offices and Facility Complexes of the Department—Employee Locators and Offices of Administrative or Management Services.

Categories of individuals covered by the system: Current employees of the Department and vendor or other Federal employees located in Department operating offices and facility complexes.

Categories of records in the system: Name, title, agency office address, agency mailing address, telephone number, standard administrative code, and social security number.

Authority for maintenance of the system: 5 U.S.C. 301, 40 U.S.C. 486(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to develop and maintain current employee locator and directory listings. The locator listings are used by the ED information centers, mail rooms, and others specifically for the purpose of locating employees and for routing of mail. The directory listings are used to produce departmental telephone directories on an as needed basis. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Variously stored in card files, computer printouts, paper forms, magnetic tape.

Retrievability: Alphabetically by employee name, in certain instances also by agency and/or title. Some large systems use the SSN as control to update, change or delete information on individuals no longer within this system of records.

Safeguards: Only authorized personnel have access to master lists which contain social security numbers.

Retention and disposal: Retained as long as individual is employed by or associated with the Department, then information deleted from files by appropriate method.

System manager(s) and address: Chief, Department Information Center,Room 1127, FOB—6, 400 Maryland Avenue, SW, Washington, D. C. 20202.

Notification procedure: Direct inquiries to the systems manager identified in Appendix.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7 45 FR 30810, May 9, 1980).

Record source categories: Individual employee.

Systems exempted from certain provisions of the act: None.

18-11-0007

System name: Applicants for Employment Records. ED/ASM/RPB.

Security classification: None.

System location: This system is located in ED's personnel office, 400 Maryland Avenue SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Persons who have applied for Federal employment or are employed in the Federal service.

Categories of records in the system: These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions and offenses against the law; results of written tests; appraisal of potential; honors, awards or fellowships; military service, veteran preference, birthplace; birth date; social security number; and home address of persons who have applied for Federal employment or are employed in the Federal service and correspondence related thereto. These records may also include information concerning the date of application; qualification status, employment consideration, priority grouping, and other information relating to the consideration of the individual for employment.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used: (1) To respond to requests for information from the Office of Personnel Management, Members of Congress, or other inquiries from outside the Department, to the extent their request is compatible with the purpose for which the records are maintained; (2) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual; (3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose a record for the purposes described in Departmental Regulations (34 CFR Part 5b, Appendix B, items (1), (3), (4), (5), (6), (7), (8), (9)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file cabinets for 2 years.

Retrievability: Records are indexed by any combination of name, birth date, social security number and identification number. Records are used to refer applicants to officials of the Department for placement in positions for which applicant has applied and qualified.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained until the applicant is selected for a position, or for two years. After the applicant is selected for a position, his/her records are filed in the Official Personnel Folder which is retained until the employee leaves the Department.

System manager(s) and address: Personnel Officers of the Department, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: Individual should provide name, approximate date of record and title of position for which application was made.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the personnel official and reasonably identify the record. Specify the information to be contested.

Record source categories: Information in this system of records is provided by the individual to whom it applies, is derived from information he or she supplied; or is obtained from information supplied by others.

Systems exempted from certain provisions of the act: None.

18-11-0008

System name:

Payroll, Attendance, and Leave Records (ED PAY/PERS)—Education Department.

Security classification:

None.

System location:

1. Education Department PAY/PERS Office, 300 7th Street, SW, Suite 201, Washington, D.C. 20024.
2. Division of Management Support, Engineering and Research Center, P.O. Box 25007, Denver Federal Center, Denver, Colorado 80225.
3. Payroll liaisons and timekeepers, headquarters and regional offices. (See Appendix 1 for addresses.)

Categories of individuals covered by the system:

All employees of U.S. Education Department, National Commission of Library and Information Sciences, Institute of Museum Services and Architectural Transportation Barriers Compliance Board, including permanent, temporary, or indefinite appointments.

Categories of records in the system:

This System consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Education, the National Commission of Library and Information Sciences, the Institute of Museum Services, and the Architectural Transportation Barriers Compliance Board. The system contains information such as the name of the employee, the employee's date of birth, social security number, home address, grade, employing organization, timekeeper number, salary, Civil Service retirement fund contributions, pay plan, number of hours worked, annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, state, and local tax withholdings, Federal Employees Government Life Insurance withholdings, garnishment documents, savings allotments, union and management association dues withholding, savings bonds allotments, and Combined Federal Campaign allotments.

Authority for maintenance of the system:

20 U.S.C. 3461, 31 U.S.C. 3512.

Purpose(s):

Records in this system are used to insure that each employee receives the proper pay and allowances; that proper deductions and authorized allotments are made from employees' pay; and that employees are credited and charged with the proper amount of sick and annual leave.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records is used or may be used:

(1) To disclose information to the Department of the Treasury for preparation of payroll checks, payroll deductions, U.S. Saving bonds, and other checks to Federal, State, and local government agencies, non-governmental organizations and individuals;

(2) To prepare W-2 Forms to submit to the Internal Revenue Service and to disclose to state and local government agencies having taxing authority pertinent records relating to employees, including name, home address, social security number (in accordance with Section 7 of the Privacy Act of 1974), earned income, and amount of taxes withheld;

(3) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and Federal Service Impasses Panel) to carry out their functions;

(4) To disclose to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

(5) By the Department of Labor to make a compensation determination in connection with a claim filed by an employee for compensation on account of a job-connected injury or disease;

(6) To respond to court orders for garnishment of an employee's pay for alimony or child support;

(7) To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes;

(8) By State offices of unemployment compensation in connection with claims filed by former ED employees for unemployment compensation;

(9) By financial organizations designated to receive labor organization or management association dues withheld from an employee's pay, in order to account for the amounts of the withheld dues which they receive;

(10) In the event of defensive litigation, to disclose certain records as the Department deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected, and the defendant is—

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to affect directly the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee; and

(11) To disclose information to an exclusive representative where 5 U.S.C. Chapter 71 or a collective bargaining agreement between the Department and the exclusive representative recognized under 5 U.S.C. Chapter 71 provides that the Department shall disclose records relevant to the organization's mission; and

(12) To disclose to a State or local agency for the purpose of conducting computer matching programs designed to reduce fraud, waste, and abuse in Federal, State, and local public assistance programs and operations.

Also, the Department may disclose a record for certain purposes described in Appendix B of the Department's Privacy Act Regulations, 34 CFR Part 5b. The specific routine uses in Appendix B that apply to this system of records are (1), (4), (5), (6), and (9).

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on computer media, input forms and printed outputs in manual and report form.

Retrievability:

Indexed by name and Social Security number of the employee and other identifying numbers related to the employee.

Safeguards:

Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records submitted by the individual, such as allotment authorization forms, home address forms, and tax withholding forms are retained until superseded by new forms or until the individual leaves the Department. Some of these records must be retained for an additional period, or forwarded to the new employing agency. (Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the Records Control Schedule of the Department of Education).

System manager(s) and address:

Director, Personnel Systems, Planning and Evaluation Division, Department of Education, P.O. Box 23578, Washington, D.C. 20024-0578.

Notification procedure:

An individual may inquire from the System Manager or the Head of the office at which the employee is (or was) employed, whether or not the system contains a record pertaining to him or her. The request must be in writing and be signed by the requester. The request must meet the requirements of 34 CFR 5b.5.

Record access procedures:

An individual may request access to the system of records in the same manner as described under the notification procedure. The request must meet the requirements of 34 CFR 5b.5.

Contesting record procedures:

An individual may contest the contents of his or her record by contacting the System Manager, identifying the record to be amended, the information to be contested, the corrective action sought, and the reasons for the correction. The request must meet the requirements of 34 CFR 5b.7.

Record source categories:

Individual employees, timekeepers and supervisors.

Systems exempted from certain provisions of the act:

None.

Appendix I

U.S. Department of Education
Federal Office Building 6
400 Maryland Avenue, SW
Washington, D.C. 20202

4U.S. Department of Education
Brown Building (NIE)
200 19th Street, NW
Washington, D.C. 20024

U.S. Department of Education
Donohoe Building
400 6th Street, SW
Washington, D.C. 20024

U.S. Department of Education
Mary E. Switzer Building
330 C Street, SW
Washington, D.C. 20201

U.S. Department of Education
Reporters Building
300 7th Street, SW
Washington, D.C. 20506

U.S. Department of Education
Old Post Office Building
1100 Pennsylvania Avenue, NW
Washington, D.C. 20506
Region I
U.S. Department of Education
J. W. McCormack Post Office & Court House, Room 526
Boston, MA 02109
Region II
U.S. Department of Education
Jacob K. Javits Building
26 Federal Plaza, Rm 3954
New York, NY 10278
Region III
U.S. Department of Education
3535 Market Street—Room 16300
Philadelphia, PA 19101
Region IV
U.S. Department of Education
101 Marietta Tower—Suite 2221
Atlanta, GA 30323
Region V
U.S. Department of Education
300 South Wacker Driver
16th Floor
Chicago, IL 60606
Region VI
U.S. Department of Education
1200 Main Tower Building—
Suite 1460
Dallas, Texas 75202
Region VII
U.S. Department of Education
324 East 11th Street—9th Floor
Kansas City, Missouri 64106
Region VIII
U.S. Department of Education
Federal Office Building—19th and Stout Street
Denver, Colorado 80294
Region IX
U.S. Department of Education
50 United Nations Plaza, Room 205
San Francisco, WA 98121
Region X
U.S. Department of Education
Third and Broad Building
2901 3rd Avenue, Room 108
Seattle, WA 98121

18-11-0009

System name: Discrimination Complaints Records System. ED/AS/EEOS.

Security classification: None.

System location: Office of the Director, Equal Employment Opportunity Staff, 400 Maryland Avenue SW, Room 2117, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals or organizations which have consulted an EEO Counselor regarding discrimination on the basis of race, color, religion, sex, national origin, age, or handicap because of a determination or decision made by a Department official or which have filed a class allegation of discrimination.

Categories of records in the system: This system of records contains information or documents concerning pre-complaint processing and class allegations of discrimination. The records consist of counselors' reports, the initial allegations, letters or notices to the individual or organization, materials placed into the record to support or refute the decision or determination, statements to witnesses, investigative reports, instructions about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Executive Order 11478; 42 U.S.C. 2000e and 29 U.S.C. 633a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

(a) To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance;

(b) To refer to Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions;

(c) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

(d) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(e) The Department may disclose a record for the purposes described in Appendix B of the Departmental Regulations (34 CFR Part 5b, Appendix B, items (1), (3), (4), (5), (6), (7), (8), (9)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals or organizations on whom they are maintained. They may be used: To adjudicate an appeal, complaint, or grievance; to provide a basis for a corrective action related to the discrimination situation; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: The records on class allegations of discrimination are retained after final disposition.

System manager(s) and address: Director, EEO Staff, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: Individuals and organizations which consulted an EEO counselor or filed a class allegation of discrimination are aware of that fact. They may write the system manager indicated above, regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide their name, date of birth, agency in which employed or agency in which the situation arose if different from employing agency, the approximate date, and the kind of action taken, when making inquiries about records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: (a) Individual to whom the record pertains;

(b) Department or other officials;

(c) Statements from employees or other witnesses;

(d) Official documents relating to the counseling or class allegation; and

(e) Correspondence from specific organizations or persons.

18-11—0010

System name: Employee Alcoholism, Drug Abuse and Emotional Problem Counseling and Referral Records. ED-ASM-DASHR-OPRM

Security classification: None.

System location: ED personnel offices or designated offices performing counseling functions for employees in organizational units serviced by these personnel offices.

Categories of individuals covered by the system: Department employees who have been counseled for work adjustment, personal or emotional health problems and/or the abuse of alcohol or drugs.

Categories of records in the system: This system contains records of employees who have been referred but not counseled; records of employees who have been counseled for work adjustment, personal or emotional problems, and/or alcohol or drug abuse; and records of members of employees' families who have been counseled. Examples of information which may be found in this record system include the employee's name, SSN, date of birth, grade, job series, job title, leave record, service computation date, home address, home phone number, supervisor's name, name and address of the individual's personal physician, social history, educational background, and performance appraisals. Other documents which may also be found in the counselor's file are notes made by the counselor, copies of admonishments and reprimands received by the employee, and a record of the supervisor's referral (if the employee was referred by the supervisor).

Authority for maintenance of the system: 44 U.S.C. 3101, 42 U.S.C. 4561, 21 U.S.C. 1180, and 5 U.S.C. 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In unusual circumstances, it may be appropriate to disclose information from this system of records. The Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of components of the Department in connection with such individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Such disclosure will be restrictively made; in particular, disclosures of information pertaining to an individual with a history of alcohol or drug abuse will be limited in compliance with the restrictions of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2. Also, the Department may disclose a record for the purposes described in item 7 of Appendix B of the Departmental Regulations (34 CFR Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee records are maintained in file folders and on index cards.

Retrievability: Records are filed by name or by case number cross indexed with the employee's name. The records are used to document the nature of the individual's problem and progress and when necessary to refer individuals to appropriate community or private resources for treatment or rahabilitation. Anonymous information from these records may also be used to produce summary descriptive statistics and analytical studies in support of the funtions for which the records are collected and maintained.

Safeguards: During the employment of the individual, records are maintained in confidential files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access. Disclosure of the contents of records which pertain to an individual's alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended by Pub. L. 93-282.

Retention and disposal: Records are retained until 3 years after the individual has ceased contact with the counselor, or until the individual leaves the Department, and are then destroyed.

System manager(s) and address: The Personnel Officer servicing the installation in which counseling was provided.

Notification procedure: Inquiries should be addressed to the system manager at the office where counseling was provided. Individual should provide name, grade, organization in which employed, date of birth, and location and approximate date of counseling. When applicable, the special procedures for access to medical records will be followed. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designated in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. When the records pertain to an individual's alcohol or drug use, the procedures in 42 CFR 2.40 will also be followed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is: (1) Supplied directly by the individual, or (2) supplied by a member of the individual's family, or (3) derived from information supplied by the individual, or (4) supplied by sources to whom the employee has been referred for assistance, or (5) supplied by Department officials, or (6) supplied by program counselors.

18-11—0011

System name: Employee Appraisal Program Records. ED/ASM/DASHR/DPRM

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, ED System 18—11—0007, and operating offices in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system contains information which includes employee's name, SSN, employing organization, grade, title, series, and materials relating to the evaluations of employee's performance.

Authority for maintenance of the system: 5 U.S.C. 4302, 5 U.S.C. 3301, 5 U.S.C. 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

(1). By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions;

(2). Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(3). In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(4). The Department may disclose a record for the purposes described in Appendix B of the Departmental Regulations, 34 CFR Part 5b, Appendix B items (1), (3), (4), (5), (6), (7), (8), (9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on magnetic tape, and on punch cards.

Retrievability: Records are retrievable by name or social security number. They may be used as a basis for reduction-in-force, adverse actions, decisions regarding retention of employees during probationary period, recognition, promotions, reassignments and other personnel actions compatible with the purpose for which the record was collected.

Safeguards: Access to and use of these records are limited to those persons who official duties require such access.

Retention and disposal: Appraisals and satisfactory rating are retained until a new appraisal or rating is issued, 2 years have elapsed, or the individual leaves the Department, and are then destroyed. Unsatisfactory and outstanding rating are filed in the Official Personnel Folder which is retained until the individual leaves the Department.

System manager(s) and address: Personnel Officers.

Notification procedure: Personnel officers. Employee should provide name, social security number and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is provided by the individual, derived from information supplied by the individual or supplied by Department officials.

18-11-0012

System name: Executive Development Records System. ED/ASM/OPRM

Security classification: None.

System location: Office of Personnel Resource Management, Division of Executive Resources, Department of Education, Washington, D.C. 20202.

Categories of individuals covered by the system: All Senior Executive Service, supergrade employees (GS-16-18) and equivalents, and participants in SES Candidate Program.

Categories of records in the system: The Executive Development Records System consists of a variety of records relating to an employee's applications for, and participation in, the executive development program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security Account Number, organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual's development plan, basis for participation in the Executive Development Program.

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used: (a) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions, (b) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose a record for the purposes described in Appendix B of the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, magnetic tape, punch cards, and forms.

Retrievability: Records are indexed by name and Social Security Account Number. Records are use by operating officials in carrying out their personnel management responsibilities. They may be used by those officials in connection with promotions, transfer or reassignment of the individual and as base for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records of an unsuccessful applicant are retained for 60 days after notification that he or she was not selected for participation, and are then destroyed. Records of a participant are retained for 5 years after the individual has ceased to participate in the program, and are then destroyed.

System manager(s) and address: Office of Personnel Resource Management, Division of Executive Resources, Department of Education, Washington, D.C. 20202.

Notification procedure: Contact system manager. Individuals should include their name, grade, title, and organization when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials.

18-11-0014

System name: Grievances Filed Under the Informal Grievance Procedures. ED/ASM/OPRM/Support Service Division.

Security classification: None.

System location: Personnel offices, or office of the immediate supervisors and the first officials within the Department excluding the immediate supervisor, with line authority to decide on the matter grieved.

Categories of individuals covered by the system: Department employees individually or as a group who have requested personal relief in a matter of concern or dissatisfaction which is subject to the control of Department management.

Categories of records in the system: Information or documents relating to the grievance and personal relief sought, documented materials used in consideration of the grievance, and correspondence related to disposition of the grievance.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used: (a) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service (Impasses Panel)) in carrying out their functions. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determined that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee is his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Departmnt to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, the Department may disclose a record for the purposes described in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, binders and index cards for supervisors.

Retrievability: For supervisors, records are indexed by name of individual filing the grievance. For personnel office, records are indexed by order of receipt and organization. Records are used to consider and resolve informal grievances and to provide background data to further consideration of grievances if later pursued through formal grievance procedures.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained for 3 years after the grievance case is closed, and are then destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which employees who submit informal grievances are located.

Notification procedure: Individuals who have filed grievances are aware of that fact and have been provided information in writing concerning the disposition of the grievance. They may contact the official who signed the written notice, or the System Manager indicated above. They should provide their name, organization in which employed and date of birth and approximate date of the filing of the informal grievance.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by testimony of witnesses, or (4) supplied by union officials, or (5) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

18-11-0015

System name: Grievance Records Filed Under Procedures Established by Labor-Management Negotiations.

Security classification: None.

System location: ED personnel offices and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department covered by a collective bargaining agreement.

Categories of records in the system: This system of records consists of a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. Examples of information which may be included in this system of records are the employee's name, SSN, grade, job title, testimony of witnesses, material placed into the record to support the decision, the arbitrator's decision, the arbitrator's report, and a record of an appeal to the Field Labor Relations Authority.

Authority for maintenance of the system: Title 5, United States Code, Chapter 71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

(1) The Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), and the Equal Employment Opportunity Commission in carrying out their functions.

(2) In accordance with Departmental Regulations, (34 CFR Part 5b, Appendix B. See Items 01, 3, 4, 5, 6, 7, 8, 9).

(3) The Department of Labor.

(4) The Federal Labor Relations Authority including the General Counsel of the Authority and the Federal Service Impasses Panel.

(5) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(6) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by file number. They are used to make a determination on and to document a decision made on a grievance filed by an employee under the negotiated grievance procedures. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards: Records maintained by management are stored in secured rooms with access limited to those whose official duties required access.

Retention and disposal: As negotiated by the local parties to the contract.

System manager(s) and address: ED Personnel Offices who service the organizational unit in which the individual is employed.

Notification procedure: Contact system manager. Individuals should include their name, grade, title and organizational unit when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by testimony of witnesses, or (4) supplied by union officials, or (5) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

18-11-0018

System name: Personnel Records in Operating Offices. ED/ASM/OPRM

Security classification: None.

System location: Operating Offices of the Department at the organizational level of the individual's employment. Such offices are located within organizational components serviced by ED personnel offices.

Categories of individuals covered by the system: Current employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed. These records may contain information about an individual relating to name, birth date, home address; telephone number, emergency address; social security number, veterans preference; tenure; work connected injuries; handicapped code; employment history; qualifications background; past and present salaries, grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions, decisions or recommendations made about an employee; and background data and documentation leading to an adverse action being taken against an employee.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521 and Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used: (1) By the Office of Personnel Management Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Services Impasses Panel) in carrying out their functions; (2) In the event an appeal is made outside the Department, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal; (3) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or anv of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enagble that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. In addition, the Departmental may disclose a record for the purposes described in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and index cards.

Retrievability: Records are indexed by any combination of name, birth date, social security number, or identification number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used in this connection in recommending or taking personnel actions such as are related to appointments, transfers, promotions, reassignments, adverse actions as a base for employee development, training, recognition, reprimands, and disciplinary actions; for making decisions on employee complaints; and as a base for staffing and budgetary planning and control, organizational planning, and for manpower utilization purposes, and for preparing statistical or summary reports. They may be used by appropriate officials in making decisions on grievance appeals and adverse actions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: Records are retained until there is no further administrative need to retain them, or the individual leaves the Department, and are then either destroyed, or, if appropriate, are combined with the Official Personnel Folder, which is fowarded to the National Personnel Records Center.

System manager(s) and address: Personnel Officers of the Department: 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Immediate supervisors of individuals or the administrative offices of the organizational units in which employed. The system manager shown above may also provide further information concerning the existence of this system of records. Individuals should provide their name, social security number, and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records either comes from the individual to whom it applies, is derived from information supplied by the individual, or is provided by Department officials.

Systems exempted from certain provisions of the act: None.

18-11-0019

System name: Special Employment Programs. ED/ASM/OHRI

Security classification: None.

System location: ED Personnel Offices and operating offices in organization units serviced by those personnel offices in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department and outside applicants eligible for participation in special employment programs.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in special employment programs such as the Upward Mobility College, Career Advancement Program (Upward Mobility), Cooperative Education, Veterans Readjustment Appts., Student Volunteers, HEW Fellows, Management Intern, PMI, Education Policy Fellows, White House Fellows, President's Executive Exchange Program, FEORP, and Selective Placement for Handicapped and Disabled Veterans. Examples of information which this records system may contain include the employee's name, SSN, program enrolled in, employing agency, grade, job title, job series, sex, date of birth, status, education background, handicap code, application for employment, position description, assignment evaluations. Veterans preference, job counseling records, letters of reference and recommendations, medical documentation, and training documentation, IDP ethnic background.

Currently have people in these programs who transferred into the Department even though these are not Department of Education programs.

Authority for maintenance of the system: 5 U.S.C. 1301, 3301, 7151 et. seq.; Executive Order 11813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be used: (1) By the Office of Personnel Management, Merit Systems Protection Board (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions. (2) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity: (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, disclosures may be made for the routine uses contained in Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, data tape, and punch cards.

Retrievability: Records are retrievable by name and SSN. Records are used by personnel offices and operating officials to monitor the progress of the individual in the special program, for career planning, and for taking personnel actions.

Safeguards: Access and use of these records are limited to those persons whose official duties require access.

Retention and disposal: Records are retained for two years after the individual's participation in a special placement program ends, and are then destroyed.

System manager(s) and address: ED Personnel Offices who service organizational units in which the participant is employed: 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: Contact system manager. Individuals should include their name, SSN, grade, title, and organization when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the system manager and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials.

18-11-0020

System name: Suitability for Employment Records. ED/ASM/DASHR/OPRM/DPIA

Security classification: None.

System location: ED Personnel offices and operating offers in organizational units serviced by those personnel offices in which employees are employed.

Categories of individuals covered by the system: Federal employees of the Department and applicants for employment.

Categories of records in the system: This system consists of a variety of records relating to an individual's suitability for employment in terms of character, reputation and fitness, including letters of reference, responses to pre-employment inquiries; National Agency Checks and Inquiries material received from the Office of Personnel Management and Merit Systems Protection Board including the Office of the Special Counsel relating to non-sensitive position qualifications and character investigations, and other information which may relate to the suitability of the individual for the position.

Authority for maintenance of the system: 5 U.S.C. 3301, 3302, 7301; Executive Order 10577; Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in the records may be used: (a) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions; (b) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, disclosures may be made for purposes in Appendix B of the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or identification number. Information in these records is used by designated appointing and selecting authorities to determine an individual's suitability for employment by consideration of factors present in such records.

Safeguards: Records are maintained in confidential files and are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Records from the Office of Personnel Management and Merit Systems Protection Board including its Office of the Special Counsel concerning applicants for or incumbents of nonsensitive positions, are retained until a decision is reached on whether to hire or retain the applicant or incumbent, and are then destroyed. Other records in this system are retained until there is no further administrative need for them, the individual leaves the Department, or one year has elapsed, and are then destroyed.

System manager(s) and address: Heads of personnel offices which service organizational units in which individual is employed or in which he/she applied for employment.

Notification procedure: Same as above. Individuals should indicate name, social security number, date of birth, and organization in which employed, or to which they applied for employment.

Record access procedures: Current Department employees or applicants should contact the appropriate system manager. Former Department employees who are employed by the Federal Government who wish to gain access or contest the records maintained on them while employed by the Department should contact the appropriate official of their current employing agency in accordance with the appropriate records system notice of that agency. Former Department employees who have separated from Federal service should direct a request to: National Personnel Records Center, General Services Administration, 111 Winnebago Street, St. Louis, Missouri 63118.

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Information contained in the system is obtained from these sources:

Applications and other personnel and security forms furnished by the individual.

Information furnished by other Federal agencies.

Information provided by sources such as employers, schools, references, former employers.

Individuals will be provided with information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5); (1) disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or (2) if the information was obtained prior to the effective date of Section 3, Pub. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (34 CFR 5b.11)

18-11-0022

System name: Volunteer EEO Support Personnel Records. ED/ASM/EEOS

Security classification: None.

System location: Office of the Director, Equal Employment Opportunity Staff, 400 Maryland Avenue SW, Room 2117, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals who have volunteered or have been proposed for duty as EEO counselors and discrimination complaint investigators on a part-time basis.

Categories of records in the system: This system of records contains information or documents concerning personal characteristics of EEO counselors and investigators. The records consist of the name and other identifying data, title, location, training received, information concerning qualifying background, case assignments, and evaluations of EEO counselors and investigators serving on a part-time basis, and related information.

Authority for maintenance of the system: Executive Order 11478, Pub. L. 92-261, Pub. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used: (a) To provide resource to another Federal agency, in response to its request for loan of investigators or counselors, (b) by the Office of Personnnel Management, Merit Systems Protection Board (including its office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions, (c) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Also, disclosure may be made for purposes found in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. They may be used: For identification, location and determination of availability of volunteer counselors and investigators for assignment to counsel complainants and to investigate complaints; to respond to inquiries regarding availability of counselor resources or determination regarding location and the jurisdictional propriety of an investigator resource; for determining training needs of EEO counselors and investigators; to provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: The records are maintained up to one year after volunteer has terminated his services, at which time they are destroyed.

System manager(s) and address: Director, EEO Staff, 400 Maryland Avenue SW, Room 2117, Washington, D.C. 20202.

Notification procedure: Individuals who have volunteered or been proposed as counselors or investigators are aware of that fact and the information contained in the record. They may, however, write the Director, EEO Staff indicated regarding the existence of records pertaining to them. The inquirers, as appropriate, should provide their name, agency in which they were proposed or served when making inquiries about records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: (a) Individuals to whom the record pertains.

(b) Department or other officials.

(c) Official documents relating to appointments and case assignments as counselors and investigators.

(d) Correspondence for specific persons or organizations.

(e) Formal reports submitted by the individual in the performance of official volunteer work.

Systems exempted from certain provisions of the act: None.

18-11-0023

System name: Unfair Labor Practice Records/ED/ASM/OHR/OPRM/LRS.

Security classification: None.

System location: Personnel Offices of the Department, and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current ED employees and union officials.

Categories of records in the system: This system of records consists of a variety of records relating to an unfair labor practice charge. Examples of information which may be included in this system are the employee's name, social security number, grade, job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by 5 U.S.C. 71 and Department of Labor Regulations.

Authority for maintenance of the system: Title VII, Pub. L. 98-491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to: (1) Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions. (2) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. (3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by file number. They are used to make a determination on and to document a decision made on an unfair labor practice charge filed by an employee or union official. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards: When not in use by authorized persons, these records are stored in lockable metal file cabinets. Access to and use of these records are limited to personnel who have a need for the records in performance of official duties.

Retention and disposal: The case files are maintained as long as they may be pertinent for purpose of precedent or as management information devices. When no longer useful for these purposes, they are destroyed.

System manager(s) and address: ED Personnel Officers who service the organizational unit in which the individual is employed.

Notification procedure: Contact the systems manager and provide name, approximate date of record, the unfair labor practice charges as specified by the complainant, and management component in which the charge was filed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Information in this system of records is:

(1) Supplied directly by the individual; or
(2) Derived from information supplied by the individual; or
(3) Supplied by testimony of witnesses; or
(4) Supplied by union officials; or
(5) Supplied by Department officials.

Systems exempted from certain provisions of the act: None.

18-11-0025

System name:

Employee Suggestion Program Records, ED/OM/DODA.

Security classification:

None.

System location:

This system is located in the Office of the ED Suggestion Officer, Room 4409, Switzer Building, 330 C Street SW., Washington, D.C. 20202.

Categories of individuals covered by the system:

Individuals who have made suggestions in ED, and/or suggestions made by individuals in other Federal Departments requiring an ED evaluation.

Categories of records in the system:

Suggestions, evaluations of suggestions, names and office addresses of individuals submitting suggestions; other identifying information, if provided, such as salary, grade, position title, and social security number.

Authority for maintenance of the system:

5 USC 4501 *et seq.*

Purpose(s):

Records in this system are used to control, evaluate, and make award determinations on employee suggestions.

Routine uses of records maintained in the system, including categories of users and the purpose of such uses:

To the Office of Personnel Management for information, possible award. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in standard sized file cabinets.

Retrievability:

The records are maintained by fiscal year with a sequential identifier for a particular suggestion. Retrieval by individual employee can only be made by a search of each file.

Safeguards:

Direct access restricted to authorized staff.

Retention and disposal:

Suggestion records are maintained for at least two years, after which time they are sent to the Federal Record Center.

System manager(s) and address:

ED Suggestion Officer, U.S. Department of Education, Room 4409B, Switzer Building, Washington, D.C. 20202.

Notification procedures:

Individuals who have submitted suggestions are aware of the fact and of any evaluations contained in their record. They may, however, write the ED Suggestion Officer regarding the existence of records pertaining to them. The inquirers should provide their names or any other personal identifiers to be searched when making inquiries about records.

Record access procedures:

Same as notification procedures. Requester also should reasonably specify the records content being sought.

Contesting record procedures:

Same as records access procedures.

Records source categories:

Incoming suggestions, responses, evaluations, and awards made, if applicable.

Systems exempted from certain provisions of the Act:

None.

18-11-0026

System name:

Debarment or Suspension Proceedings Under Executive Order 12549. OM/OC/GCS.

Security classification:

None.

System location:

Grants Division, Grants and Contracts Service, U.S. Department of Education, Washington, DC.

Categories of individuals covered by the system:

Principals undergoing debarment or suspension proceedings and principals that have been debarred or suspended. Principals are officers, directors, owners, partners, key employees, or other persons with primary management or supervisory responsibilities, or persons who have a critical influence on or substantive control over a covered transaction, whether or not employed by a participant. A participant is any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered transaction. A covered transaction is described in the Department's regulations at 34 CFR 85.110(a)(1).

Categories of records in the system:

Contains documents including written referrals, communications between ED and the respondent, intraagency and interagency communications regarding proposed or completed debarments or suspensions, and a record of and findings from debarment or suspension proceedings against individuals under E.O. 12549.

Authority for maintenance of the system:

Executive Order 12549, Debarment and Suspension.

Purpose(s):

Information contained in this system of records is used to protect the Federal Government from the actions prohibited under the Department's debarment and suspension regulations, make decisions regarding debarments and suspension, and ensure that other Federal agencies give effect to debarment or suspension decisions rendered by this Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The Department may disclose a record for the following purposes:

(1) Disclosure as part of a Debarment or Suspension Action. The Secretary's designated debarring/suspending official may disclose information concerning an individual who has been suspended or proposed for debarment to other persons involved in or affected by the suspension or debarment action, including participants, principals, affiliates, witnesses, or any other person or individual who has information, documents, or knowledge relevant to the suspension or proposed debarment action.

(2) Disclosure to the General Services Administration. The Secretary's designated debarring/suspending official makes information contained in this system of records available to the General Services Administration for inclusion in the Lists of Parties Excluded from Federal Procurement or Nonprocurement Programs.

(3) Enforcement Disclosure. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, particular program statute, or executive order, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether foreign, Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or executive order or rule, regulation, or order issued pursuant thereto.

(4) Subpoena Disclosure. Where Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(5) Litigation Disclosure.

(a) Disclosure to the Department of Justice. If the Department determines that disclosure of certain records to the Department of Justice is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, the Department may disclose those records as a routine use to the Department of Justice. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in the litigation:

(i) The Department, or any component of the Department;

(ii) Any employee of the Department in his or her official capacity;

(iii) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent the employee; or

(iv) The United States where the Department determines that the litigation is likely to affect the Department or any of its components.

(b) Disclosure to a Court or Adjudicative Body. If the Department determines that disclosure of certain records to a court of adjudicative body before which this Department is authorized to appear is relevant and necessary to litigation and is compatible with the purpose for which the records were collected, the Department may disclose those records as a routine use to the court or adjudicative body. Such disclosure may be made in the event that one of the parties listed below is a party to litigation, or has an interest in such litigation:

(i) The Department or any component thereof; or

(ii) Any employee of the Department in his or her official capacity, or

(iii) Any employee of the Department in his or her individual capacity where the agency has agreed to represent the employee; or

(iv) The United States, where the Department determines that litigation is likely to affect the Department or any of its components.

(6) FOIA Advice Disclosure. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(7) FOIA Disclosure. Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulations, determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records if the disclosure is also consistent with the purpose for which the record was collected.

(8) Contract Disclosure. When the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system, relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(9) Research Disclosure. Where the appropriate official of the Department determines that an individual or organization is qualified to carry out specific research, that official may disclose information from this system of records to that researcher solely for the purpose of carrying out that research. The researcher shall be required to maintain Privacy Act safeguards with respect to such records.

(10) Congressional Member Disclosure. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Each record is kept in a separate file folder and stored in file cabinets in a locked room.

Retrievability:

The records are indexed by the names of the individuals.

Safeguards:

Immediate access to these records is only by authorized staff.

Retention and disposal:

Records are disposed in accordance with the requirements of the Federal Records Disposal Act and the Department's record retention schedule. Pending disposal, the records are retained either at the system location or at the Federal Records Center where files are sent on a regular, predetermined schedule.

System manager(s) and address:

Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue SW. (Room 3124, ROB-3), Washington, DC 20202-4571.

Notification procedure:

Contact system manager. Requests for notification about whether the system of records contains information about an individual must meet the requirements in the Department's Privacy Act regulations at 34 CFR 5b.5.

Record access procedures:

Contact system manager. Requests by an individual for access to a record must meet the requirements of the Department's Privacy Act regulations at 34 CFR 5b.5.

Contesting record procedures:

Contact system manager. Requests to amend a record must meet the requirements of 34 CFR 5b.7.

Record source categories:

Department employees involved in the management of grants and other organizations or persons that may have relevant information regarding participants and their principals.

Systems exempted from certain provisions of the act:

None.

18-15-0001

System name: Consultants for Federal Technical Assistance Program, Vocational Rehabilitation Services. ED/OSERS/RSA.

Security classification: None.

System location: Room 3325, 330 C Street, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Technical Assistance Consultants.

Categories of records in the system: Name, address, education, experience (general business resume of qualifications).

Authority for maintenance of the system: Pub. L. 93-112, Sec. 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, standard metal file cabinets.

Retrievability: Indexed alphabetically.

Safeguards: Access limited to RSA staff.

Retention and disposal: Files maintained for two years then retired to Federal Records Center.

System manager(s) and address: Rehabilitation Program Specialist, Room 3325, 330 C Street, SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

18-15-0002

System name: Office of Rehabilitation Services Mailing Lists. ED/OSERS/RSA

Security classification: None.

System location: Department of Education, Rehabilitation Services Administration, Room 615, Arcade Plaza Building, 1321 Second Avenue, Seattle, Washington 98101.

Categories of individuals covered by the system: Providers of rehabilitation services in Region X, individuals who have requested that they receive program information, grantees, grant applicants.

Categories of records in the system: Name, address, title, phone numbers.

Authority for maintenance of the system: Pub. L. 93-112.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congresssional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card files.

Retrievability: Indexed by name. Used by ORS staff to disseminate program information.

Safeguards: Access by authorized personnel only.

Retention and disposal: Regained indefinitely and updated periodically.

System manager(s) and address: Regional Commissioner, RSA, MS 622, Arcade Plaza Building, 1321 Second Avenue, Seattle, Washington, 98101.

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Individuals themselves, from grant applications.

Systems exempted from certain provisions of the act: None.

18-15-0003

System name: Mailing Keys. ED/OSERS/RSA.

Security classification: None.

System location: Administrative Officer, MES Building Room 3036, 330 C Street SW, Washington, D.C. 20202.

Categories of individuals covered by the system: State vocational rehabilitation agencies (general and blind), rehabilitation facilities, persons interested in statistics, persons interested in the deaf.

Categories of records in the system: Names of agency or individual, and address.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (Pub. L. 93-112) and the Rehabilitation Amendments of 1974 (Pub. L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employees; the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: IBM Master Cards are stored in file drawers.

Retrievability: These IBM cards are filed by key number, city and State and zip code.

Safeguards: Only authorized persons allowed access.

Retention and disposal: Maintained as long as necessary and then destroyed.

System manager(s) and address: Administrative Officer, MES Building, Room 3036, 330 C Street SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: From agencies or individuals themselves.

Systems exempted from certain provisions of the act: None.

18-15-0004

System name: Correspondence Files. ED/OSERS/RSA

Security classification: None.

System location: Administrative Officer, MES Building, Room 3036, 330 C Street SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Name and address of individuals submitting correspondence, responses and exchanges of information associated with the Federal-State vocational rehabilitation program.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of information associated with the Federal-State vocational rehabilitation program.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (Pub. L. 93-112) and the Rehabilitation Amendments of 1974 (Pub. L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to an inquiry from the Congressional office made at the request of that individual. In the event of litigation, where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file cabinets.

Retrievability: Congressional correspondence filed by name of Congressperson. Other correspondence filed in alphabetical order by name of signer.

Safeguards: Access to authorized individuals only.

Retention and disposal: Inquiry records are maintained five years and sent to the Federal Records Disposal Center.

System manager(s) and address: Administrative Officer, MES Building, Room 3036, 330 C Street SW, Washington, D.C. 20202.

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested.

Record source categories: Incoming correspondence, responses, and material provided by individual.

Systems exempted from certain provisions of the act: None.

18-20-0001

System name: Fund for the Improvement of Postsecondary Education; Field Readers to Review Proposals for ED. ED/OPE/FIPSE.

Security classification: None.

System location: Fund for the Improvement of Postsecondary Education, Room 3123, 400 Maryland Avenue SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals with backgrounds and experience in postsecondary education.

Categories of records in the system: Brief personal data sheets.

Authority for maintenance of the system: 20 U.S.C. 1135 and 3462.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1 through 8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cabinet.

Retrievability: The file contains names and short resumes of people who have read for the Fund or who have been suggested as readers, within the last three years. It is organized by State.

The use of the file is to secure academicians and scholars as readers to evaluate and make recommendations on FIPSE proposals and as consultants to review and assess FIPSE projects already in progress.

Safeguards: Administrative use by authorized agency personnel. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: The file is cleared of inactive resumes at irregular intervals.

System manager(s) and address: Deputy Director, FIPSE, Room 3123, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as in preceding paragraph.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information forwarded to FIPSE by individuals interested in serving as field readers; information obtained by contacting individuals with specific expertise in postsecondary education.

Systems exempted from certain provisions of the act: None.

18-40-0002

System name: Registry of Deaf-Blind Children/Regional-National. ED/OSERS

Security classification: None.

System location: (See Appendix I—System 18-40-0004).

Categories of individuals covered by the system: Deaf-blind children enrolled in programs supported by Pub. L. 94-142, Part C or for whom services are being planned by each State under the 16 regional deaf-blind centers are indicated in the registry by name, or code as determined by State and local regulations. The registry contains information on children by sex, demographic data, and service status of child.

Categories of records in the system: Name, address, service category, i.e., service being provided to the child, fiscal data such as state, local, or Federal funding received by each program under the regional deaf-blind center.

Authority for maintenance of the system: 20 U.S.C. 1422

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized staff of regional deaf-blind centers, State and local educational agencies, and participating agencies for the purpose of planning and developing appropriate programs to meet short and long term needs of deaf-blind children have access to statistical aggregate data only through authorized center staff. Registry data will be coordinated with a joint national registry in cooperation with the Helen Keller National Center for Deaf-Blind Youths and Adults. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card index, paper files in metal file cabinets in each regional center office, computer disks and magnetic tapes under management of one regional center and the National Deaf-Blind Center.

Retrievability: Registries are indexed by name, or code, for each child reported by programs serving deaf-blind children and maintained only by the regional center staff. Statistical aggregate data is available for planning purposes to center staff, regional advisory committee members, state and local educational agencies, participating agencies and Helen Keller National Center for Deaf-Blind Youth and Adults.

Safeguards: Direct access to regional registries is controlled by each regional center and statistical data are made available only to authorized officials as indicated under "Retrievability". Regional and national registries maintained under lock and key, and code for data on computer tapes known only to authorized staff responsible for their management. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Regional and national registries are maintained throughout educational and rehabilitation lifetime of the individual, or removed upon request by parents or the client.

System manager(s) and address: Chief, Deaf-Blind Section/OSERS, Room 3153, Donohoe Building, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: System manager for general inquiries; for specific information contact regional center serving State in which child resides. See Appendix I of System 18-40-0004. Provide child's name and/or any I.D. number or code assigned to regional center.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents, referrals by States and participating agencies serving deaf-blind children, to the regional deaf-blind center. All data are provided on a voluntary basis.

Systems exempted from certain provisions of the act: None.

18-40-0003

System name: Student Participants in Deaf-Blind Programs under Centers and Services for Deaf-Blind Children. ED/OSERS

Security classification: None.

System location: (See Appendix I—System 18-40-0004)

Categories of individuals covered by the system: General intake data including name and address of child, medical, sociological and educational data relevent to the child in order to determine child's needs.

Categories of records in the system: Name, address, general intake data as described in preceding paragraph, and maintained in file record of program in which child is enrolled. All information is provided by consent and knowledge of parents of child.

Authority for maintenance of the system: 20 U.S.C. 1422.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized officials and staff of immediate program in which child is enrolled, Regional Center staff for planning short and long term program alternatives for the child. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly effect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files stored in file cabinets of individual programs in which child is enrolled. Only authorized staff have access to records with approval of administrative official of said program.

Retrievability: Files are indexed by child's name and are retrievable only by authorized staff of program in which child is enrolled, and by parent of child.

Safeguards: Files are maintained under lock and key and cannot be removed without approval of authorized official of program in which child is enrolled. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Files are maintained as long as child is enrolled in program. File may follow child as child moves to another program or State.

System manager(s) and address: Chief, Deaf-Blind Section/OSERS, Room 3151, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager for general inquiries; for specific information see Appendix I of 18-40-0004. Provide child's name and/or code number for information regarding specific program child is enrolled in. Regional Center will provide name and address from which parent can request specific information.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents of child enrolled in program; all data are provided on a voluntary basis.

Systems exempted from certain provisions of the act: None.

18-40-0004

System name: Parent Participants in Deaf-Blind Programs provided by Regional Centers for Deaf-Blind Children. ED

Security classification: None.

System location: (See Appendix I of this System 18-40-0004).

Categories of individuals covered by the system: Parents of deaf-blind children enrolled in programs provided by Regional Centers for Deaf-Blind Children.

Categories of records in the system: Name, address, general intake data as determined by administrative officials of programs in which child is enrolled. All information requested is provided with knowledge and consent of the parent.

Authority for maintenance of the system: 20 U.S.C. 1422.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized officials and staff of immediate program in which child is enrolled to communicate with parents regarding child's progress. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files stored in file cabinets of individual program in which child is enrolled. Only authorized staff have access to records with approval of administrative official of said program.

Retrievability: Files are indexed by child's name and are retrievable only by authorized staff of program in which child is enrolled; and, by parent of child.

Safeguards: Files are maintained under lock and key and cannot be removed without approval of authorized official of program in which child is enrolled. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Files are maintained as long as child is enrolled in program. File may follow child, as child moves to another program or State.

System manager(s) and address: Chief, Deaf-Blind Section/OSERS, Room 3151, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager for general inquiries; for specific information see Appendix I of this system (18-40-0004). Provide child's name and/or code number for information regarding specific program child is enrolled in. Regional Center will provide name and address from which parent can request specific information.

Record access procedures: If an individual wishes to gain access to a record in ths system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents of child enrolled in program; all data are provided in a voluntary basis.

Systems exempted from certain provisions of the act: None.

Appendix I—Programs for Deaf-Blind Children and Youth

Alaska—Program

Alaska State Center for Deaf-Blind Children, 111 Dowling Road, Anchorage, AK 99502

Colorado—Program

Colorado Department of Education, State Office Building, 201 East Colfax, Denver, CO 80203

Illinois—Program

Illinois Office of Education, 100 North First Street, Springfield, IL 62777

Ohio—Program

Ohio Department of Education, Division of Special Education, 933 High Street, Worthington, OH 43085

Pennsylvania—Program

Pennsylvania Department of Education, 236 Union Deposit Mall, Harrisburg, PA 17111

Texas—Program

Texas Education Agency, 201 East 11th Street, Austin, TX 78701

Washington—Program

Washington State Office, Education School District 121, 1410 South 200th, Seattle, WA 98148

New England Region

Connecticut, Maine, Vermont, Massachusetts, Rhode Island, New Hampshire. Perkins School for the Blind, 175 North Beacon Street, Watertown, MA 02172

Mid-Atlantic Region

New Jersey, New York, Delaware, Puerto Rico, Virgin Islands. New York Institute for Education of the Blind, 999 Pelham Parkway, Bronx, NY 10469 Mountain Range Region:Idaho,Kansas, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wyoming Mountain Range Regional, 165 Cook Street, Denver, CO 80206

South Atlantic Region

North Carolina, Maryland, Virginia, District of Columbia, West Virginia, South Carolina, North Carolina Department of Public Instruction, 327 Hillboro Street, Bunn-Hatch Building, Raleigh, NC 27611

Southeast Region

Alabama, Georgia, Tennessee, Florida, Mississippi, Kentucky, Alabama Institute for the Deaf-Blind, Box 698, Talladega, AL 35160

Midwest Region

Michigan, Indiana, Wisconsin, Minnesota, Michigan Department of Education, 5th Floor, Davenport Building, Ottawa and Capitol Streets, Lansing, MI 48933 South Central Region: Arkansas, Iowa, Louisiana, Missouri, Oklahoma South Central Regional, Deaf Blind Center, 2930 Turtle Creek Plaza, Dallas, TX 74204

Southwest Region

Arizona, Nevada, California, Guam, Hawaii, Trust. Territories, California Department of Education, 721 Capitol Mall, Sacramento, CA 95814

Appendix II—Programs for Deaf-Blind Youths and Adults

Hellen Keller National Center for Deaf-Blind Youths and Adults, 111 Middle Neck Road, Sands Point, NY 11050

18-40-0005

System name: Participant Waiting List for Projects Serving Severely Handicapped Children and Youth. ED/OSERS.

Security classification: None.

System location: (See Appendix II—18-40-0006.)

Categories of individuals covered by the system: Severely handicapped children and youth waiting to be included in services provided by project.

Categories of records in the system: Name, address, and telephone numbers of children and youth; student educational, social, psychological, and relevant medical information.

Authority for maintenance of the system: Education of the Handicapped Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To State and local educational agencies for coordinating services to potential participants; to other relevant State and local public and private agencies providing services to such potential participants, for coordination of services; to members of the project advisory boards and parent-teacher type organizations for coordinating and augmenting services to potential participants. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is in folders and stored in file cabinets.

Retrievability: File alphabetically by potential student surname. Records are cross indexed with listings of students by county/district. Records are available to project staff involved in planning for services to be provided.

Safeguards: Direct access is restricted to authorized project staff; access to room in which file cabinets are maintained is limited during nonworking hours to those with keys to room. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Student files are maintained in potential student category until the enrollment of a student, or for two years following possible enrollment age of student. Disposal—records put into trash.

System manager(s) and address: Chief, Special Needs Section/OSERS, Room 3135, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, provide name and possible matriculation date of student. Address is project director as cited in Appendix II (18-40-0006).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses referred from public and private educational and health agencies. Student information provided through review of records available on potential students from other public and private agencies.

Systems exempted from certain provisions of the act: None.

18-40-0006

System name: Participants of Projects Serving Severely Handicapped Children and Youth. ED/OSERS.

Security classification: None.

System location: (See Appendix II of this system (18-40-0006.)

Categories of individuals covered by the system: Severely handicapped children and youth participating in Special Services Branch-funded projects, and the parents of these children and youth.

Categories of records in the system: Name, address, and telephone numbers of children, youth and their parents; student educational, social, psychological and relevant medical information; student attendance, progress and testing records.

Authority for maintenance of the system: 44 U.S.C. 3701.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To State and local educational agencies for coordinating services to participants; to other relevant State and local public agencies providing services to such participants; for coordination of services to them; to members of project advisory boards and parent-teacher type organizations for coordinating and augmenting services to participants. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in standard file cabinets.

Retrievability: Filed alphabetically by student/parent surname. Records are cross-indexed with listings of students by county/school district. Records are available to project staff involved in the provision of services to the students/parents. Occasionally, personnel in State and local educational departments may be given some information from the files for the purpose of coordinating and strengthening services to the students/parents.

Safeguards: Direct access is restricted to authorized project staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Student and parent files are maintained for two years following the participation of a student. Disposal—records put into trash.

System manager(s) and address: Chief, Special Needs Section/OSERS, Room 3135, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and matriculation dates of students. Address is project director as cited in Appendix II of this system (18-40-0006).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses referred from public and private educational and health agencies. Student information provided through review of records of students previously receiving services from other agencies.

Systems exempted from certain provisions of the act: None.

Appendix II—Program for Severely Handicapped Children and Youth

Alabama

Alabama Institute for Deaf-Blind, P.O. Box 698, Talladega, AL 35160

California

Bay Area Severely Handicapped Deaf-Blind Project, Bryant—Sunshine School, San Francisco, CA 94110

Frederic Burk Foundation for Education at San Francisco State University, 1640 Holloway Avenue, San Francisco, CA 94132

Hawaii

University of Hawaii, Department of Special Education, 1776 University Avenue, Honolulu, HI 96822

Illinois

Northern Illinois University, Dekalb County, IL 60115

Institute for the Study of Developmental Disabilities, University of Illinois at Chicago Circle, Chicago, IL 60680

Kansas

Bureau of Child Research, University of Kansas, Parson Research, Parson, KS 67357

Massachusetts

Perkins School for the Blind, Deaf-Blind Program, 175 North Beason Street, Watertown, MA 02171

Missouri

Department of Special Education, University of Missouri—Columbia, 515 South Sixth Street, Columbia, MO 65211

New Jersey

Educational Testing Service, Rosedale Road, Priceton, NJ 08541

New York

Cantalican Center for Learning, 3233 Main Street, Buffalo, NY 14214

Deafness Research and Training Center, 80 Washington Square East, New York, NY 10003

North Carolina

University of North Carolina at Chapel Hill, Division TEACCH, Department of Psychiatry, Chapel Hill, NC 27514

Oklahoma

Project SPARK, Baptist Med. Center/Nat'l Assn. for D-B, Oklahoma City, OK 73116

Oregon

Oregon Research Institute, 195 West 12 Avenue, Eugene, OR 21230

Specialized Training Program, 1590 Willamette Street, Eugene, OR 97401

Teaching Research, Division of Oregon State System of Higher Education, Monmouth, OR 97361

Deaf-Blind Youths, Teaching Research, Division of Oregon State System of Higher Education, Monmouth, OR 97361

Rhode Island

Easter Seal Society of Rhode Island, Inc., 667 Waterman Avenue, East Providence, RI 02914

Tennessee

George Peabody College, P.O. Box 36, Nashville, TN 73203

Texas

Education Service Center, Region No. 20, 1314 Hines Avenue, San Antonio, TX 78208

Vermont

University of Vermont, Center for Developmental Disabilities, 499 C Waterman Building, Burlington, VT 05405

Washington

University of Washington College of Education, Seattle, WA 98195

Lake Washington, School District, Kirkland, WA 98033

Wisconsin

University of Wisconsin, Department of Behavorial Disabilities, 427 Education Building, Madison, WI 53706

18-40-0007

System name: Participants in Workshops Concerning Severely Handicapped Children and Youth. ED/OSERS/OSE.

Security classification: None.

System location: Room 3135, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Professionals and non-professionals attending OSE sponsored or supported national and regional workshops which deal with severely handicapped children and youth.

Categories of records in the system: Name and address of workshop participants.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To national organizations of professionals working with severely handicapped children and youth for sharing of information and coordination of activities; to State and local educational agencies directing attention to this special field of services. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agree to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Cabinet storage, paper files.

Retrievability: Indexed and filed by name of conference-workshop location of conference, and topic(s) discussed. Cross-indexed by name of participant in alphabetical listings.

Safeguards: Direct access is restricted to authorized program staff; access to room in which file cabinets are maintained is limited during non-working hours to those with passes to building. Exception: Subject to the disclosure requirements of the Privacy Act.

Retention and disposal: Workshop Participants files are maintained for two years following the completion of a conference/workshop. Disposal—records put into trash.

System manager(s) and address: Chief, Special Needs Section/BEH, Room 3135, Donohoe Building, 400 Maryland Avenue, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and address of participant. Address is Program Officer, in preceding paragraph.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses obtained from the participants attending national or regional meetings concerning severely handicapped children and youth.

18-40-0009

System name:

Selective Service Registration Compliance File, ED/OPE/OSFA.

Security classification:

None.

System location:

Room 4318, ROB No. 3, 7th and D Streets SW, Washington DC 20202.

Categories of individuals covered by the system:

Recipients of student financial assistance under Title IV of the Higher Education Act of 1965, as amended, who indicate that they are registered with the Selective Service System on the Statement of Registration Compliance.

Categories of records in the system:

Name, Social Security number, and date of birth of students who have indicated in the Statement of Registration Compliance that they are registered with the Selective Service System.

Authority for maintenance of the system:

50 U.S.C. App. 462

Purpose(s):

This system of records will be used to evaluate the degree of student compliance with the Selective Service Registration requirement. This compliance data is used to determine if the requirement that institutions document the Selective Service registration status of students who receive financial assistance under Title IV of the Higher Education Act of 1965, as amended, should be modified.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

This information will be furnished to the Director of the Selective Service System to verify compliance with 50 U.S.C. App. 462, as amended September 8, 1982. Disclosure of information in this system of records may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is—

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Department of Justice has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Also, the Department may disclose a record for the purposes described in the Department's Privacy Act regulations (34 CFR Part 5b, Appendix B, items, 1, 3, 4, 5, 6, 8, and 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in hard copy. The database used to generate this system of records will be maintained on a microcomputer.

Retrievability:

Records are indexed by name and Social Security number.

Safeguards:

Hard copy files are maintained in locked cabinets. The microcomputer database will only be accessible through the use of a password and will be archived. Access is restricted to authorized staff in the performance of official duties.

Retention and disposal:

Records will be retained for one year after conclusion of the study, and then destroyed.

System manager(s) and address:

Director, Division of Policy and Program Development, Office of Postsecondary Education, Department of Education, Room 4100, ROB-3, 7th and D Streets SW, Washington, DC 20202.

Notification procedure:

An individual may ask the system manager whether or not the system contains a record pertaining to him. The individual must provide his name or Social Security number to the system manager. The request must meet the requirements contained in 34 CFR 5b.5.

Record access procedures:

If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures:

If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change with a photocopy of the signed Statement of Registration Compliance. The request must meet the requirements contained in 34 CFR 5b.7.

Record source categories:

Student Aid Reports and other financial aid documents bearing the student's signed Certification of Registration Compliance.

Systems exempted from certain provisions of the act:

None.

18-40-0010

System name: Law Enforcement Education System. ED-OPE-OSFA

Security classification: None.

System location: 3661, GSA Building, 7th & D Streets, SW, Washington, D.C. 20202Room 4003, 425 I Street NW, Washington, DC 20530.

Categories of individuals covered by the system: Recipients of LEAA Law Enforcement Education Loans and Grants.

Categories of records in the system: LEEP Master Computer File; LEEP Promissory Note File; LEAA Form 03.

Authority for maintenance of the system: The system is established and maintained under 42 U.S.C. 3775.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contracts for categories and statistical analysis, educational institutions for record reconciliation, IRS and references listed on application for address verification, references in bankruptcy for claim action, State and local agencies to verify eligibility.

Release of information to the news media: When the Members or staff requests the information on behalf of, and at the requests of, the individual who is the subject of the record.

Release of information to the National Archives and Records Administration: A record from a system of records may be disclosed as a routine use to the National Archives and Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2984 and 2996.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained in the system is stored on computer magnetic tape and folders.

Retrievability: Information is retrievable by name of recipient and social security number.

Safeguards: Computerized information is safeguarded and protected by computer password key and limited access. Noncomputerized data is safeguarded in file room which is locked after business hours. Access is limited to authorized personnel.

Retention and disposal: Computerized records are kept indefinitely. Uncollected loans/grants are transferred to GAO as soon as determined uncollectable. Cancelled or repaid loans/grants are closed at end of fiscal year, held three years, then sent to Federal Records Center and destroyed in accordance with instructions from GAO.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: Contact system manager.

Record access procedures: A request for access to a record from this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." Include in the request the name and personal identifier number. Access requests will be directed to the system manager.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

Record source categories: Sources of information are the recipient of loans/grants and their educational institutions.

Systems exempted from certain provisions of the act: None.

18-40-0011

System name: Upward Bound Information Systems. ED-ASDE-HE.

Security classification: None.

System location: Room 3319-C, ROB No. 3, 7th and D Streets SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Current and former participants in the Upward Bound Program.

Categories of records in the system: The student's: Name, system identifier number, social security number, sex, date of birth, ethnoracial background, home address, dates of entry into and departure from Upward Bound, income eligibility data, need for program services, veteran's status, current enrollment status and grade level, high school and expected date of graduation, high school academic program and grade point average at time of entrance into the program, Scholastic Aptitude Test and American College Test Score data (if applicable), reason for leaving program, and postsecondary school enrollment data or reason for not pursuing a postsecondary education.

Authority for maintenance of the system: Title IV-A of the Higher Education Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape files at ED's contractor site, 5185 MacArthur Blvd., NW, Washington, D.C. 20016.

Retrievability: Records are accessed primarily by a student number assigned by the Upward Bound Computer system.

Safeguards: Only designated personnel are authorized to have access to the files.

Retention and disposal: Current records are maintained indefinitely.

System manager(s) and address: Chief, Information Systems and Program Support Branch, Division of Student Services, OHCE, Room 3514, ROB No. 3, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and student number.

Record access procedures: If an individual wishes to gain access to a record in this system he or she should contact the system manager with the information described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information submitted by the institution's program director who obtains it directly from the individual students. Information regarding the enrollment and graduation of former participants is also obtained from college registrars.

18-40-0012

System name: Migration and Refugee Assistance Act of 1962—United States Loan Program for Cuban Students. ED/OPE/OSFA.

Security classification: None.

System location: Office of Student Financial Assistance, 101 Marietta Tower, Third Floor, Atlanta, GA 30323.

Categories of individuals covered by the system: Cuban refugees who have borrowed money under the program to finance their education at eligible institutions of higher education.

Categories of records in the system: (1) All individual student files contain the following personal data: Name, address, institution, ED ID No.; sex, date of birth, marital status, dependents; place of birth, immigration status, social security number; name and address of parents and relatives; employment record for past five years; educational pursuits, career objective; financial information (relatives); date of separation, total amount borrowed; repayment schedule, collections, deferments, cancellations; (2) Additional information on those who request a postponement of repayment on ground of hardship; place of employment, income; regular expenses, list of debts giving name and address of creditor, nature of indebtedness, total cost, balance owed, frequency of payment and amount of each payment; (3) Additional information on those who request cancellation of loan on ground of permanent and total disability; nature of disability, date symptoms first appeared; name, address of doctor or hospital providing examination(s) and treatment; history of disability, present condition, diagnosis, treatment, progress, prognosis.

Authority for maintenance of the system: Migration and Refugee Assistance Act of 1962, Section 2, Pub. L. 87-510 (22 U.S.C. 2601).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractor providing billing and collection services for purposes of maintaining accurate and current records of participating students; to students who request a record of their account; to Internal Revenue Service and Immigration and Naturalization Service for purposes of skip-tracing lost borrowers; and to the General Accounting Office or the Department of Justice for legal action against delinquent borrowers and for the routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy, filed in a standard (locked) file cabinets.

Retrievability: Records are indexed by individual name and ED identification number. Records are available to DPO staff involved in correspondence with Cuban refugee borrowers, contracfor personnel if necessary, and members of the Office of General Counsel. Records are available to Public Health Service for determinations on requests for medical postponement of repayment of loan or permanent and total disability.

Safeguards: Direct access is restricted to authorized program officials and contractor personnel. Physically safeguard by use of standard file cabinets which are locked during non-working hours. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Regional Administrator, Office of Student Financial Assistance, 101 Marietta Tower, Third Floor, Atlanta, GA 30323

Notification procedure: System manager will respond to inquiries. Inquiries must contain system identification number and system name; name and address of borrower concerned; and date of previous correspondence, if any.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Original information is submitted by the institution's program director who obtains it directly from the individual students; additional information in the case of requests for hardship postponements or cancellations on the gounds of total and permanent disability is obtained from the student, a doctor and/or a hospital; and if a borrower dies before completion of repayment, proof of death is obtained from appropriate source.

18-40-0013

System name: National Defense Direct Student Loan Program—Request for Cancellation of Loan on Ground of Permanent and Total Disability. ED/OPE/OSFA.

Security classification: None.

System location: Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Student borrowers under the National Defense Direct Student Loan Program requesting loan cancellation because of permanent and total disability.

Categories of records in the system: Information on borrowers requesting disability cancellation of loans includes name, address, social security number, medical records, name and address of lending institution, and other information needed to process such cancellation requests.

Authority for maintenance of the system: Title IV-E of the Higher Education Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in hard copy form are maintained in standard file cabinets.

Retrievability: Records are accessed by individual's name only. Program officials use the records to secure appropriate information on which the Secretary of Education may make a determination to cancel a National Defense Direct Student Loan for reasons of permanent and total disability.

Safeguards: Only program officials are authorized to have access to the files. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: The file is a cumulative one. To date, all individual case records are maintained as initially filed; none have been deleted, removed, or stored elsewhere.

System manager(s) and address: Director, Division of Program Operations, Room 4636, ROB No. 3, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: System manager will respond to inquiries as to whether the system contains an individual's record. Inquiries must contain system identification number and system; name and address of borrower concerned; and date of previous correspondence if any.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is submitted by the borrower requesting cancellation and by his physician(s), through the lending institution.

18–40–0014

System name: Pell Grant Application File. ED/OPSE/OSFA.

Security classification: None.

System location: Room 4920, ROB No. 3, 7th and D Streets SW, Washington, D.C. 20202; Pell Grant Processing Center, Iowa City IA 52240; Pell Grant Processing Center, Los Angeles, CA 90009.

Categories of individuals covered by the system: Students applying for and receiving Basic Grant assistance.

Categories of records in the system: Name, address, birthdate, social security number, and financial data necessary to identify applicants and calculate their eligibility index for Pell Grants.

Authority for maintenance of the system: Title IV-A of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identifying information and eligibility index of applicants is provided to those institutions of postsecondary education or their agents in which the applicants plan to enroll or are enrolled.The same data are provided to State scholarship agencies having agreements with the Secretary for purposes of coordinating State aid with the Pell Grant Program. On request, information is provided to parents and spouses who provide information on the application form. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. The information may be released for the routine uses in 34 CFR Part 5b, Appendix B, including contractors.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original applications are maintained in standard file cabinets in Pell Grant processing center. Micro-fiche records are maintained in Washington office in standard file cabinets.

Retrievability: Records are indexed by name of applicant with a cross-index file by social security number. Records are available to all Division of Pell and State Student Grant staff (including appropriate contract support).

Safeguards: Only designated program officials and contract staff have access to file. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Original records are maintained until end of academic year and then stored in Federal Records Center.

System manager(s) and address: Director, Division of Program Operations, Room 4636, ROB No. 3, 7th and D Street SW, Washington, D.C. 20202.

Notification procedure: In an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information may be provided directly to the Department of Education by applicants, or, at the request of an applicant, may be provided by the following agenicies: American College Testing Program, Iowa City, IA 52240; Pennsylvania Higher Education Assistance Agency, Harrisburg, PA 17102; College Scholarship Service, Princeton, NJ 08541; and College Scholarship Service, Berkeley, CA 94701.

The purpose of this approach is to permit students to apply for Pell Grant Assistance without being required to submit a Pell Grant Application, but instead to provide data needed by the Pell Grant Program on other forms by which they apply for State and/or institutional aid.

18-40-0015

System name: Pell Grant Student Aid Report Sub-system. ED/OPSE/OSFA.

Security classification: None.

System location: Room 4712, ROB No. 3, 7th and D Streets SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Pell Grant Recipients.

Categories of records in the system: Name, address, birthdate, social security number, financial data, and status of award for Pell Grant recipients.

Authority for maintenance of the system: Title IV-A of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare processed student payment data for submission to schools or their agents in order to verify payments made to students.Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original Student Aid Reports and hard copy are maintained in standard file cabinet.

Retrievability: Records are indexed by institution and by name and social security number within school. Records are used to verify and reconcile institutional expenditures.

Safeguards: Direct access is restricted to authorized staff. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Original copies are maintained until fiscal year funds are closed out, and then stored at Federal Records Center.

System manager(s) and address: Director, Division of Program Operations, Room 4651, ROB No. 3, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Student Aid Report.

18-40-0016

System name: Pell Grant Alternate Disbursement System. ED/OPE/OSFA

Security classification: None.

System location: Room 4651, GSA Building , 7th and D Streets SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Eligible applicants who are paid directly by Federal Government since they are enrolled in eligible non-participating schools.

Categories of records in the system: Name, address, birthdate, social security number, financial data, and enrollment status of Pell Grant recipients paid through this system:

Authority for maintenance of the system: Title IV-A of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal aotion against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in standard file cabinet.

Retrievability: Records are indexed by name of applicant. Records are available to Division of Program Operations staff.

Safeguards: Direct access is restricted to authorized staff.

Retention and disposal: Original copies are maintained until fiscal year funds are closed out and then stored at Federal Records Center.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedures.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Student Eligibility Reports and Requests for Payment from applicants.

18–40–0017

System name: Student Financial Assistance Validation File. ED/OPSE/OSFA.

Security classification: None.

System location: Room 4069, ROB No. 3, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Applicants and recipients of student financial assistance.

Categories of records in the system: Student financial assistance application, award and servicing forms and documentation.

Authority for maintenance of the system: Title IV of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701(a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in standard file cabinets.

Retrievability: Records are indexed by name and are available only to specifically designated staff involved in validation process.

Safeguards: Access is restricted to authorized staff only and files are maintained in locked cabinets. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained until resolved and then stored in Federal Records Center.

System manager(s) and address: Director, Division of Certification and Program Review, Room 4069, ROB No. 3, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Application data, incoming correspondence and related material, obtained during course of investigation.

18–40–0018

System name: Mutual Educational and Cultural Exchange Act Teacher Exchange Participants and Applicants. ED/OPE/IE.

Security classification: None.

System location: Room 3069, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals who have been selected to teach abroad under the Teacher Exchange Program. Individuals who have applied abroad under the Teacher Exchange Program.

Categories of records in the system: Name, address, telephone number, date and place of birth, citizenship, dependents, educational background, employment background, languages, membership in clubs and organizations of the individuals, personal references including reports of interviews, administrative approval, and language proficiency when required.

Authority for maintenance of the system: The Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses contained in 34 CFR Part 5b, Appendix B, U.S. binational commissions, the Board of Foreign Scholarships and concerned country educational authorities to determine suitability of candidate for teaching position or study in their country. Disclosure may be made to a Congressional office from the record of an individual in response to any inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in standard file cabinets.

Retrievability: Records are accessed by individual names only by authorized ED staff for the purposes of determining eligibility for teacher exchange opportunities, for selection of teacher exchange participants, and to develop profile information regarding recipients of grants for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized ED staff. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained for three years and then destroyed.

System manager(s) and address: Chief, Teacher Exchange Branch, Division, of International Services and Improvement, International Education Programs, U.S. Department of Education, Room 3069, GSA Building, Washington, D. C. 20202.

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

18-40-0019

System name: National Resource Fellowship. ED/OPE/IE

Security classification: None.

System location: Room 3916, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system:

Individuals who have been nominated by their institution of higher education to be a recipient or alternate recipient of a fellowship.

Categories of records in the system: Name, address, telephone number, citizenship, career goal, language competency, educational background, and previous awards held.

Authority for maintenance of the system: Higher Education Act of 1965, as amended, Title VI, Section 601(b); Title X, Section 1001(f) (1), (2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses contained in 34 CFR Part 5b, Appendix B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in standard file cabinets.

Retrievability: Records are accessed by individual names or by educational institutions only by authorized ED staff members for the purposes of determining eligibility for fellowships, for establishing allowances for stipends and dependents, and for developing profile information regarding recipients of fellowships for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized ED staff. Exceptions: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained three years and then destroyed.

System manager(s) and address: Division Director, Division of International Education Research and Studies, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

18-40-0020

System name: Mutual Educational and Cultural Exchange Act—Doctoral Dissertation Research Abroad and Faculty Research Abroad, Fellows and Alternates. ED/OPE/IE.

Security classification: None.

System location: Room 3727, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Individuals who have been selected to be a recipient or alternate recipient of a fellowship.

Categories of records in the system: Name, address, educational institution, date and place of birth, veteran's status, educational background, health statement, language references, personal references for all individuals, project descriptions. In addition, the annualized salary figure for all faculty fellows and alternates.

Authority for maintenance of the system: The Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses contained in 34 CFR Part 5b, Appendix B, U.S. embassies, binational commissions, the Board of Foreign Scholarships, and in some cases foreign governments, and to field readers, to determine eligibility and suitability to undertake research abroad. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hardcopy, filed in standard file cabinets.

Retrievability: Records are accessed by individual names and educational institution only by authorized ED staff and field readers for the purposes of determining eligibility and suitability to undertake research abroad, establishing allowances for travel, maintenance, and dependents, and for developing profile information regarding recipients of fellowships for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized ED staff. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained five years and then destroyed.

System manager(s) and address: Director, Office of International Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

18-40-0021

System name: Student Financial Assistance—Compliance Files. ED/OPE/OSFA.

Security classification: None.

System location: Room 4069, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Applicants for, and recipients of, Title IV student financial assistance; personnel of OSFA; officials, employees or agents of regional offices, participating schools, and lenders, who are involved in complaints or allegations of program irregularities, noncompliance with regulations, misconduct, fraud or abuse.

Categories of records in the system: Contains written documentation of the alleged or proven act(s) of misconduct including name, address, social security and claim numbers (if appropriate) of the complainant, name of the student borrower, school or lender, and the results of investigative action, prosecution or non-prosecution intent, and results.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV, as amended (20 U.S.C. 1070 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To schools and lenders for investigative activities. In 34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 11. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Intradepartmental users of these records are the Office of General Counsel (OGC), Office of Inspector General (OIG), and the ED Regional Offices (RO). OGC usage is for the purpose of providing background data in obtaining legal rulings and opinions. OIG usage is for the purpose of obtaining documentation necessary for the investigation. RO usage is for the purpose of coordinating actions between various regional offices.

Safeguards: Direct access is restricted to authorized staff; file cabinets are locked. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained three years; compliance and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address: Director, Division of Certification and Program Review, Room 4069, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for compliance/investigative material, name and an I.D. number assigned. Address is listed in preceding paragraph.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Incoming correspondence, responses, and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

18-40-0022

System name: Student Financial Assistance—Student Complaint Files. ED/OPE/OSFA.

Security classification: None.

System location: Room 4069, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Applicant for, recipients of, Title IV student financial assistance who have made complaints or allegations of irregularities by schools or lenders, or their officials, employees, or agents.

Categories of records in the system: Contains written documentation of student complaints including name, address, social security and claim number (if appropriate) of the complainant, name of school and lender.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to relocate a delinquent or defaulted borrower. To schools and lenders for investigative activities. In Departmental regulations (34 CFR Part 5b, Appendix B, items 1, 3, 5, 6, 8, and 11). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such dislosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Authorized intradepartmental employees review action taken.

Safeguards: Direct access is restricted to authorized OSFA staff; file cabinets are locked. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained three years; complaint and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address: Director, Division of Certification and Program Review, Room 4069, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is listed in preceding paragraph.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Incoming correspondence, responses, and material obtained during course of any investigation.

18-40-0023

System name: Defaulted Guaranteed Loans Submitted to Department of Justice. ED.

Security classification: None.

System location: Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202. Room 5471, 441 G Street, NW, Washington, D.C. 20548.

Categories of individuals covered by the system: Borrowers for whom defaulted claims have been paid and subsequently submitted to Department of Justice (DOJ) for further action.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, credit data, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C.1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. For uses contained in the Departmental Regulations (34 CFR Part 5b, Appendix B). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on microfilm filed in standard file cabinets.

Retrievability: Data indexed by name and date. Data utilized by collection staff to compile OSFA statistics and management reports; to implement write-off of files transferred to DOJ to provide additional information in response to GAO/Justice Department inquiries.

Safeguards: Direct access is restricted to authorized OSFA staff; file cabinets are locked. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Held indefinitely.

System manager(s) and address: Director, Division of Program Operations, Room 4636,GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: System manager; for general inquiries, name and date of previous correspondence if known; for defaulted loans submitted to Department of Justice, name, social security number, and any I.D. number assigned. Address is listed in preceding paragraph.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, lenders, schools, employers, credit agencies, and government agencies.

Systems exempted from certain provisions of the act: None.

18-40-0024

System name: Guaranteed Loan Program—Loan Application File. ED/OPE/OSFA

Security classification: None.

System location: Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202; 5700 Thurston Avenue, Virginia Beach, VA 23455.

Categories of individuals covered by the system: Borrowers who have applied for educational loans under Title IV-B of the Higher Educationa Act of 1965.

Categories of records in the system: Contains written documentation of application including demographic background, loan and educational status, name of guarantor and lender, and data on credit and family.

Authority for maintenance of the system:

Higher Education Act of 1965, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the indentity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for updating computer records and correction of errors. In uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy or microfilm and are filed in standard records cartons.

Retrievability: Records are indexed by borrower's name. Used by OSFA personnel either to retrieve needed information on an individual, a school, a lender, or as part of a random statistical sampling or review.

Safeguards: Direct access is restricted to authorized OSFA staff and contract employees; stored in records cartons in rooms locked during nonbusiness hours. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records of individual loans are destroyed three years after final repayment of loan. Destroyed by maceration.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedue.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification of the change.

Record source categories: Incoming application forms from guarantee agencies and private non-profit agencies approved by the Secretary. Information supplied by student, student's family, and lender.

Systems exempted from certain provisions of the act: None.

18–40–0025

System name: NDSL Student Loan Files. ED/OPE/OSFA

Security classification: None.

System location: Room 4613, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Student borrowers under the National Direct (formerly Defense) Student Loan Program whose notes have been referred to the U.S. Government because of loan default or school closing.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, borrower credit and financial data, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-E, as amended (20 U.S.C. 1087aa-ff).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). To various billing services under contract with ED for continued servicing of loans from institutions no longer in operation. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy and microfilm filed in standard file cabinets.

Retrievability: Data indexed by name. Data utilized to compile NDSL statistics and management reports for NDSL staff; and used by the collection staff to collect monies owed to U.S. Government.

Safeguards: Direct access is restricted to authorized ED staff. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Hard copies destroyed by maceration after microfilming; microfilm maintained three years after repayment or cancellation of loan, and destroyed by chemical processing.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Record source categories: Information is obtained from applications, correspondence and reports submitted by borrowers and their families, institutions of postsecondary education, employers, credit agencies, and governmental agencies.

18-40-0026

System name: Guaranteed Loan Program—Paid Claims File. ED/OPE/OSFA

Security classification: None.

System location: Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Borrowers for whom claims have been paid on loans insured under Title IV-B of HEA.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, credit data, loan data, legal documents, medical reports, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a deliquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to state guarantee agencies requesting student borrower information; and for uses in (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets and lektriever.

Retrievability: Data indexed by name. Claims classified into special categories: Bankruptcies; death, disabilities; repurchases by lenders, paid-in-full; and defaulted claims. Defaulted claims are separated into sub-categories: Skip files, suspension files, foreign files, forbearance files, and prison files. Data utilized to compile OSFA statistics and management reports for system manager; used by collection staff to collect monies owed to U.S. Government and to perform post-audits on paid claims; to provide data to the Office of Inspector General in cases of possible fraud and irregularities; and to provide data to compliance staff associated with violation of the laws.

Safeguards: Direct access is restricted to authorized OSFA staff; file cabinets and lektriever are locked. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records destroyed by maceration after microfilming; microfilm maintained three years after repayment or cancellation of loan, and destroyed by chemical processing.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: System manager: For general inquiries, name and date of previous correspondence, if known; for paid claim: Name, social security number, and and I.D. number assigned. Address is listed in preceding paragraph.

Record access procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, acquaintances, lenders, schools, employers, credit agencies, and governmental agencies.

Systems exempted from certain provisions of the act: None.

18-40-0027

System name: Guaranteed Loan Program—Claims and Collections Master File. ED/OPE/OSFA

Security classification: None.

System location: 7980 Gallows Court, Vienna, VA 22180.

Categories of individuals covered by the system: Defaulted borrowers for whom the claims have been paid under Title IV-B of the Higher Education Act of 1965.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim number, amounts of claim to include interest, and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update files and correct errors; to State guarantee agencies requesting student borrower information. For uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data utilized to provide Office of General Counsel and the Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by OSFA staff are to identify student borrowers indebted to the U.S. Government who have defaulted on their student loan; reimburse lending institution for claim against a guaranteed loan; generate and maintain financial records for ED Finance Division; maintain accounting records of collection activity for borrowers repaying loans to U.S. Government; generate managerial and statistical reports; determine a borrower's default status; verify payments applied toward defaulted student loans; update file and correct errors.

Safeguards: Direct access is restricted to authorized OSFA staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: Contact system manager for general inquiries supplying name, social security number and date of birth at address in preceding paragraph.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act:

None.

18-40-0028

System name: Guaranteed Loan Program—Collection Letters. ED/OPE/OSFA

Security classification: None.

System location: 7980 Gallows Court, Vienna, VA 22180.

Categories of individuals covered by the system: Defaulted borrowers for whom claims have been paid under Title IV-B of the Higher Education Act of 1965.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim numbers, amounts of claim to include interest and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1975, Title IV-B, as amended. (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquires about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to State guarantee agencies requesting student borrower information; and for uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above name locations.

Retrievability: The file is indexed by social security number. Data utilized to provide OSFA staff with statistical and managerial reports; to provide the Office of General Counsel and the Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by OSFA staff are to identify defaulted claims in delinquent status; to contact defaulted borrowers to encourage repayment of claim disbursed by U.S. Government; to take follow-up action on delinquent defaulted accounts; to update records and correct errors.

Safeguards: Direct access is restricted to authorized OSFA staff or contracted personnel

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: Contact system manager for general inquiries supplying name, date of birth and social security number (at the address in preceding paragraph).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances, lenders, schools, medical reports, employers, credit agencies, and federal and state governmental agencies.

Systems exempted from certain provisions of the act: None.

18-40-0029

System name: Guaranteed Loan Program—Inactive Loan Control Master File. ED/OPE/OSFA

Security classification: None.

System location: 7980 Gallows Court, Vienna, VA 22180.

Categories of individuals covered by the system: Borrowers who participated in Guaranteed Loan Program whose names were deleted from the primary Loan Control Master File.

Categories of records in the system: Contains name, social security number, demographic background, educational status, loan status, and family financial information of individual for whom the record was maintained.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus or collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for plossible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to State guarantee agencies requesting student borrower information; and for uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repaymelt efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the address at the above name locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide OSFA staff with statistical and managerial reports. Other uses by OSFA staff are to obtain loan data on former student loan borrowers; update records, and correct errors.

Safeguards: Direct access is restricted to authorized OSFA staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: Contact system manager for general inquiries supplying name, date of birth, and social security number (at the above address listed in preceding paragraph).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

18-40-0030

System name:

Guaranteed Loan Program—Loan Control Master File. ED/OPE/OSFA.

Security classification:

None.

System location:

7980 Gallows Court, Vienna, VA 22180.

Categories of individuals covered by the system:

Borrowers who have applied for or received educational loans under the provisions of Title IV-B of the Higher Education Act of 1965.

Categories of records in the system:

Contains name, social security number, demographic background, educational status, loan status and family financial information of individual for whom the record is maintained. Contains lender and school identification.

Authority for maintenance of the system:

Higher education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes for such uses:

The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To schools and lenders for loan status information and record reconciliation; to borrowers and applicants for status of loan applications; to contractors for updating program records and processing documents; to State Guarantee Agencies for loan status information. To an educational agency or lending instituion against which a complaint has been made; and for uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Department's Privacy Act Regulations (34 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department,or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The file is maintained on magnetic tape/disk packs in a library room area at the above named location.

Retrievability:

The file is indexed by social security number. Data are utilized to provide OSFA staff with statistical and managerial reports. Other uses by OSFA staff are to identify students participating in the Guaranteed Loan Program; determine eligibility of loan application; reflect eligibility for interest benefits; determine loan status of borrower; compute insurance premium for Federally Insured Loans; compile and generate managerial and statistical reports; research records for inquiry responses; reflect interest rates for individual loans; update file and correct errors.

Safeguards:

Direct access is restricted to authorized OSFA staff or contracted personnel.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure:

If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures:

If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures:

If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories:

Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders/schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the Act:

None.

18-40-0031

System name: Guaranteed Loan Program—Pre Claims Assistance. ED/OPE/OSFA.

Security classification: None.

System location: 903 S. Hyland Street, Arlington, VA 11104; 7980 Gallows Court, Vienna, VA 22180.

Categories of individuals covered by the system: Borrowers under Title IV-B of the Higher Education Act of 1965 whose lending institutions have reported them to be delinquent in their repayments, or of unknown present addresses.

Categories of records in the system: Contains name of borrower, social security number, address, amount of outstanding loans including interest, name and address of parent or nearest relative, record actions taken.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last Known address; to Postal Service for last known address; to General Accounting Office of possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to State Guarantee Agencies requesting borrower information; and for uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 8, and 9). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the location at the above name location.

Retrievability: The file is indexed by social security or other I.D. number. Data are utilized to provide OSFA staff with statistical and managerial reports; to provide the Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by OSFA staff are to identify delinquent borrowers; locate and contact delinquent borrowers; maintain current address of delinquent borrowers; assist lending institutions in having delinquent borrowers commence repayment of educational loan; update records and correct errors.

Safeguards: Direct access is restricted to authorized OSFA staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Division of Program Operations, Room 4636, GSA Building, 7th and D Streets SW, Washington, D.C. 20202.

Notification procedure: Contact system manager for general inquiries supplying name with date of birth and social security number (at the address in the preceding paragraph).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

18-40-0032

System name: Record of Advances of Funds for Employees Traveling for the Department of Education—(SF 1038, Application and Account for Advance of Funds). ED/OASM/OFM.

Security classification: None.

System location: Room 3105, FOB No. 6, 400 Maryland Avenue SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Employees of the Department of Education (including consultants) who have requested advances of funds for travel on official business.

Categories of records in the system: Name, social security number, home and/or business address, amount of travel advance requested, amount actually paid, and unliquidated balance, if any.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For audit by U.S. General Accounting Office (GAO). Disclosures may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in card format and are stored in file cabinets.

Retrievability: Records are indexed by name of individual requesting advance of funds. Records are available to employees of the Division of Financial Management, Department of Education, in performance of accounting functions and to the individual to whom funds were advanced.

Safeguards: Direct access is restricted to authorized agency staff in performance of official duties. Maintained in locked file cabinets. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained four years or until audit by the U.S. General Accounting Office, whichever is earlier. Disposed of by maceration.

System manager(s) and address: Director, Division of Financial Management, U.S. Department of Education, Room 3105, FOB No. 6, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: System manager will respond to inquiries.

Record access procedures: Same as under "Retrievability."

Contesting record procedures: Contact system manager, above.

Record source categories: Travelers who complete Form SF 1038. (See system name at the beginning of this document (18-40-0032).)

Systems exempted from certain provisions of the act: None.

18-40-0033

System name:

Department of Education Financial Management Information System, ED/ODSM/FMS.

Security classification:

None,

System location:

Room 3105, Federal Office Building No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system:

Department of Education employees, consultants, contractors, advisory committee members, other individuals performing personnel services for the Department, and individuals owing a the Department of Education monies as a result of loan/award agreements where the program office does not maintain a system of records adequate to monitor the receivables. The appendix to this notice lists the programs for which the Department currently collects receivables under the loan/award category.

Categories of records in the system:

Social security numbers or other assigned identifiers of individuals for whom a receivable has been established; name, address, and social security number of each individual and employer identification number of each company and institution if the individual, company, or institution provides services for the Department: and records indicating the cost of service(s) provided by each individual, company, or institution, and the status of these accounts.

Authority for maintenance of the system:

44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is; (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to represent effectively such party, provided such disclosure is compatible with the purpose for which the records were collected.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on magnetic tape, microfilm, microfiche and stored in retrievable file system.

Retrievability:

Records are indexed by social security number or other individual identifier, employer identification number, and award document number. The records are retrieved by a manual or computer search of the indices.

Safeguards:

Direct access restricted to authorized agency staff in performance of official duties. Specifically, records are available to employees of the Department of Education Financial Management Service, the Office of the Inspector General, to program officials, and to General Accounting Office auditors, in performance of accounting-related functions. Authorized staff are assigned passwords which must be used for access to computerized data. Also, an additional password is necessary to gain access to the system. The system-access password is changed frequently. The data is maintained in a secured-access area.

Retention and disposal:

File constantly updated. Records maintained for ten years.

System manager(s) and address:

Director, Financial Management Service, U.S. Department of Education, Room 3105, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Notification procedure:

System Manager will respond to inquiries.

Record access procedures:

Same as under "Retrievability".

Contesting record procedures:

Contact System Manager.

Record source categories:

Department of Education employees, consultants, others performing personal services for the Department of Education, and Education Department programs that do not maintain a system of records adequate to monitor receivables and for which individuals owe the Department monies under a loan/award agreement.

Systems exempted from certain provisions of the act:

None.

Appendix:

Loan/award programs under which the Department collects receivables: Bilingual Education Fellowship program.

18-40-0034

System name: Teacher Corps Application For Intern Teacher Position. ED/OERI/EPDD.

Security classification: None.

System location: Records previously contracted out, and maintained in four locations, have been transferred to Washington and are located at: Department of Education,720 Riviere Building, 1832 M Street, NW, Washington, D.C.

Inquiries concerning Teachers Corps intern positions should be sent to: Intern Recruitment Unit, Teacher Corps, Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Categories of individuals covered by the system: People who submit applications to be members (interns) of Teacher Corps projects.

Categories of records in the system: An application form containing basic demographic data, education and employment histories and motivation statements, and any other information provided by the applicant is filed alphabetically by name in the project to which it is sent by the applicant.

Authority for maintenance of the system: 20 U.S. Code, Sections 1101 through 1107a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Teacher Corps project grantees who are considering the applicants for selection as interns. To State departments of education for verification of eligibility of the applicant for teacher certification programs. When requested by applicant, to potential employers or managers of other teachers training or social service programs. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The profile sheets are kept in a file cabinet.

Retrievability: Files are established when each application is received and placed alphabetically in file cabinets. Project staff analyze the data on the application forms, prepare a summary sheet, and either notify applicant of ineligibility for Teachers Corps membership, or refer them to the local selection panel for which they would qualify. These project staff refer to these files in answering subsequent inquiries concerning application status from Teacher Corps projects and from applicants.

Safeguards: Direct access is limited to Recruitment and Technical Resources Center staff and to national office Teacher Corps staff. Access to room in which file cabinet is maintained is limited during non-working hours to those with keys to the room. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Applications are held for one year, being disposed of when selections are completed annually by all new Teacher Corps projects. Disposal is through regular refuse services.

System manager(s) and address: Associate Director, Development, Department of Education, Teacher Corps, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: System manager (address in preceding paragraph) will respond to inquiries, or applicants can write directly to the Center to which the application was originally sent. Requesters should list their name and address and the date of their application for membership in Teacher Corps.

Record access procedures: See information under "Retrievability."

Contesting record procedures: See information under "Notification Procedures."

Record source categories: All information on the application form is provided by the applicant.

Systems exempted from certain provisions of the act: None.

18–40–0036

System name: Oral History of the Office of Education as Dictated by Former Commissioners of Education. ED/OL

Security classification: None.

System location: 400 Maryland Avenue SW, Washington, D.C. 20202.

Categories of individuals covered by the system: Living former U.S. Commissioners of Education.

Categories of records in the system: Information about the individual's life as Commissioner and about OE during his term of office.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To those involved in publishing (including the Government Printing Office) for production of final document; to the Department of Justice for Freedom of Information Act consultation; under subpoena by any administrative agency. To answer inquiries from the National Archives, and from government libraries. For uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1, 2, 3, 5, 6, 8, 9, 10). Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on paper and on magnetic tape and are filed in a standard file cabinet.

Retrievability: By name by the system manager or staff for the purpose of obtaining the approval of former Commissioners; after approval and release by former Commissioners the records may be retrieved as historical documents by system manager or staff.

Safeguards: Records may be placed in the National Archives under seal upon threat of disclosure. Exceptions: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: All background material will be disposed of 5 years after publication of the final document. These records may be destroyed by maceration, burning, or other appropriate means.

System manager(s) and address: Office of Legislation, Room 4119, FOB No. 6, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: System manager (address in preceding paragraph) will respond to inquiries. Individual must provide system I.D. number and name.

Record access procedures: Contact system manager.

Contesting record procedures: Same as "Notification Procedures."

Record source categories: Information provided by the individual Commissioner and records and documents provided by the Commissioner during interviews. Information is transcribed as approved by individual.

Systems exempted from certain provisions of the act: None.

18–40–0044

System name: Guaranteed Loan Program—Insurance Claim File. ED/OPE/OSFA

Security classification: None.

System location: See Appendix EOE 2 of this system(18—40—0044).

Categories of individuals covered by the system: Borrowers under Higher Education Act of 1965, Title IV–B on whose accounts the Federal Government has been requested to pay a claim by lenders, because of default, bankruptcy, death or disability.

Categories of records in the system: Loan history, including name, social security number, and last known address of borrower, date borrower ceased at least half-time study, reason for claim, date first payment due, date and amount of loan, and amount of claim. Loan documents, including promissory notes, disclosures statement, repayment agreements, payment history, loan application and copies of correspondence between lender and borrower.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV–B, as amended (20 USC 1071–1087–4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To the Department of Justice for possible legal action, to the Department of Justice for Freedom of Information Act consultation; and to General Accounting Office auditors checking program operation. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its compounts; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application or participation in any grant or loan program administered by the Department of Education. Purposes of these disclosures may be to determine program eligibility and benefits, enforce the conditions and terms of the loan or grant, permit the servicing and collecting of the loan or grant, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701 (a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability: By name and batch number. The files are used by the Claims Examiners to provide documentation on insurance claims by lenders of the Federal Government. The copies are retained for recordkeeping and cross-referencing purposes. Records are available to regional collection staff to aid them in locating borrowers and setting up repayment schedules. They are also available to ED auditors checking program operations.

Safeguards: Records are stored in locked file cabinets or in locked rooms after working hours with access by authorized agency personnel. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Claim files are retained pending payment of claims which usually takes 60 to 90 days. When paid, the files are transferred to the collection staff in the appropriate regional office, depending on the present location of the borrower. The alphabetical and batch files are retained for five (5) years beyond payment of claim. Disposal by maceration.

System manager(s) and address: See Appendix EOE 2 of this system (18–40–0044).

Notification procedure: See system manager, address as indicated to Appendix EOE 2, (18–40–0044), inquiries should be addressed to the system manager in the region in which the inquirer resides (e.g., Florida resident will address Region IV system manager). Provide system I.D. number and system name. Also provide the name, address and social security number of the individual inquiring about his/her record.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Participating lenders and individual borrowers.

Systems exempted from certain provisions of the act: None.

Appendix EOE 2

Region I: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Assistant Regional Administrator ,Division of Claims and Collections,Bureau of Student Financial Assistance,P.O. Box 8370,Boston, MA 02114

Region II: New Jersey, New York, Puerto Rico, Virgin Islands
Assistant Regional Administrator,
Division of Claims and Collections,Bureau of Student Financial Assistance,26 Federal Plaza, Room 406,New York, NY 10007

Region III: Delware, Maryland, Pennsylvania, Virginia, Washington, D.C. West Virginia
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,3535 Market Street, Room 16200,Philadelphia, PA 19104

Region IV: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,101 Marietta Tower, Third Floor,Atlanta, GA 30323

Region V: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,300 South Wacker Drive, 32nd Floor,Chicago, IL 60606

Region VI: Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,1200 Main Tower Building,Dallas, TX 75202

Region VII: Iowa, Kansas, Missouri, Nebraska
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,Federal Office Building, Room 360,601 East 12th Street,Kansas City, MO 64106

Region VIII: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,11037 Federal Office Building,19th and Stout Streets,Denver, CO 80294

Region IX: Arizona, California, Hawaii, Nevada, American Samoa, Trust Territory of the Pacific, Guam, Wake Island
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,50 United Nations Plaza, Room 234,San Francisco, CA 94102

Region X: Alaska, Idaho, Oregon, Washington
Assistant Regional Administrator,Division of Claims and Collections,Bureau of Student Financial Assistance,Arcade Plaza Building, Room 515,1321 Second Avenue,Seattle, WA 98101

18–40–0045

System name:

Student Financial Assistance Collection Files ED/OPE/OSFA.

Security classification:

None.

System location:

(See the appendix to this system notice.)

Categories of individuals covered by the system:

Defaulted borrowers and individuals owing refunds and monies under student financial assistance programs administered by the Office of Student Financial Assistance (OSFA).

Categories of records in the system:

Name, address, social security number, postsecondary school, student application, collection and repayment history with both lender and the Department of Education (ED), skip tracing information, borrower's financial ability and willingness to pay, claim for insurance reimbursement, disclosures, forebearance and deferment documents, promissory notes; correspondence between lender and borrower, borrower and ED, borrower or debtor and school, ED and school, and between ED and relatives; collector's notes, Department of Motor Vehicles reports, Internal Revenue Service listing of last known address, and reports of credit investigations.

Authority for maintenance of the system:

Higher Education Act of 1965, Title IV; Migration and Refugee Assistance Act of 1962, Section 2.

Purpose(s):

The system is maintained for the following purposes:

1. Documenting the amounts owed to the Department when the Department makes payments on a guarantee or reinsurance agreement, accepts an assignment or referral of a student loan, or determines that an overpayment of student financial assistance has been made;
2. Establishing correct balances by posting borrower payments, adjustments and interest accrual;
3. Maintaining a payment history for each borrower for use in credit reports, repayment negotiations, salary offset hearings, and collection litigation;
4. Documenting changes in a borrower's name, address or status,
5. Identifying areas of responsibility within the Department's collection units; and
6. Acting as a source of data for statistical analysis and management reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraund and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. The information may also be furnished to computer contractors for issuance of computerized collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to U.S. Internal Revenue Service to determine last known address; to U.S. Postal Service to determine last known address; General Accounting Office for possible pre-litigation collection service; to a hearing official to conduct a salary offset hearing under 34 CFR Part 31; to U.S. Department of Justice for possible legal action; to U.S. Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Departments of Motor Vehicles to determine last known address; to State Bureaus of Vital Statistics for verification of death; to financial institutions, including mortgage companies, for credit checks; to educational agencies or institutions against which a complaint has been made; to other guaranteed student loan lenders making inquiries concerning the defaulted students; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the General Accounting Office for discharge of authorized functions and for routine uses contained in Departmental Regulations at 34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, 9, and 11. Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent the employee, the Department may disclose records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent the party, provided the disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, stored in file cabinets.

Retrievability:

By name. Records are available to OSFA staff for administration of collection responsibilities, and used as feeder information in skip tracing; to ED auditors for possible audit; to ED Counsels to resolve legal questions; and to ED Investigators for investigation of fraud possibilities.

Safeguards:

Records are stored in locked file cabinets or in locked rooms after working hours with access by authorized agency personnel. Exception: Subject disclosure requirements of the Privacy Act.

Retention and disposal:

Records are maintained five (5) years beyond the closing of the case. Disposal by shredding.

System manager(s) and address:

See the Appendix for this system notice.

Notification procedure:

See system manager, address as indicated in the Appendix to this notice. Inquiries should be addressed to the system manager in the region in which the school attended or lender is located. Provide system I.D. number and system name. Also provide the name, address and social security number of the individual inquiring about his or her records.

Record access procedures:

Contact system manager.

Contesting record procedures:

Contact system manager.

Record source categories:

From the original lender, student loan, grant or financial assistance application, school attended and the financial aid recipient.

Systems exempted from certain provisions of the act:

None.

Appendix to System 18-40-0045

For loans made by schools or lenders in the following States:

Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Virgin Islands, Washington, D.C., and West Virginia, contact Region IV at the following address: Assistant Regional Administrator, U.S. Department of Education, Region IV, Division of Claims and Collections, Office of Student Financial Assistance, 101 Marietta Tower, Third Floor, Atlanta, GA 30323.

For loans made by schools or lenders in the following States:

Arkansas, Illinois, Indiana, Louisiana, Michigan, Minnesota, New Mexico, Ohio, Oklahoma, Texas, and Wisconsin, contact Region V at the following address: Assistant Regional Administrator, U.S. Department of Education, Region V, Division of Claims and Collections, Office of Student Financial Assistance, 300 South Wacker Drive, 32nd Floor, Chicago, IL 60606.

For loans made by schools or lenders in the following States:

Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, Nevada, North Dakota, Trust Territory of the Pacific, Utah, Wake Island, Washington, and Wyoming, contact Region IX at the following address: Assistant Regional Administrator, U.S. Department of Education, Region IX, Division of Claims and Collections, Office of Student Financial Assistance, 50 United Nations Plaza, Room 234, San Francisco, CA 94102.

18-40-0050

System name: Presidential Scholars Files of Selected Participants, ED/OSERS/OGT

Security classification: None.

System location: Room 3831, Donohoe Building, 400 6th Street SW, Washington, D.C. 20202

Categories of individuals covered by the system: Selected Participants for the Presidential Scholars Program 1964 to present.

Categories of records in the system: Name, address, biographical information supplied by student.

Authority for maintenance of the system: Executive Order No. 11155, Sec. 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Commission on Presidential Scholars for historical archives and current data to be used for annual selection of scholars; to authorized agency officials and employees as well as contracting officers which change yearly for arrangements for Presidential Scholars activities during their visit to Washington, D.C. to authorized agency officials and employees for public affairs, press releases, etc. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it seems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in file cabinets in paper files.

Retrievability: By name, State, and year of selection.

Safeguards: Used only by authorized personnel for specific purposes with permission of individual whose name is on file.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Deputy Director, Office of Gifted and Talented, Education Department, Room 3831, Donohoe Building, 400 Maryland Avenue SW, Washington, D.C. 20202

Notification procedure: Contact system manager. Requester should provide name, address, system ID, and system name.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Individuals submit information by answering a questionnaire. College Entrance Examination Board supplies test scores and answers to questionnaires. Recommendations from school principal submitted with permission of applicant. References are submitted on approved forms.

Systems exempted from certain provisions of the act: None.

18-40-0077

System name:

Records of Educationally Disadvantaged Students Attending Private Schools Served Through Bypass Contracts. ED/OESE/CEP.

Security classification:

None.

System location:

See the Appendix to this system notice.

Categories of individuals covered by the system:

Selected elementary and secondary school students who—

(1) Attend private schools;

(2) Reside in target areas of bypassed local educational agencies; and

(3) Participate in the program for educationally disadvantaged students under Chapter 1 of the Education Consolidation and Improvement Act of 1981.

Categories of records in the system:

Contains documents, identified by name and number, of students participating in programs under Chapter 1 of the Education Consolidation and Improvement Act, such as pre-and post-achievement test scores, report cards, and reports from Chapter 1 teachers to regular classroom teachers and to parents.

Authority for maintenance of the system:

Section 557(b), Chapter 1, Education Consolidation and Improvement Act of 1981 (Pub. L. 97-35) (20 U.S.C. 3806(b)).

Purpose(s):

The purpose of the standardized test scores obtained at the beginning of a year is to determine the eligibility of students for participation in the Chapter 1 program. The purpose of report cards and reports of Chapter 1 teachers to regular classroom teachers and to parents is to report the progress students are making during the school year. The purpose of the scores made on achievement tests given at the end of a school year is to measure the progress students have made during the year and to measure to degree to which the objectives of the Chapter 1 program have been met.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Chapter 1 teachers make information contained in this system or records available to regular classroom teachers and to the record subjects' parents to explain to those persons the eligibility of students and their progress in the Chapter 1 program. Supervisors of the Chapter 1 teachers use information contained in this system of records as a part of the monitoring process to measure progress being made toward achieving program objectives.

The Department may disclose a record for the purposes described in the Department's Privacy Act regulations (34 CFR Part 5b, Appendix B, items (1), (3), (4), (5), (6), (8), (9), (10), and (11)).

Disclosure of information in this system of records may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

In the event of litigation involving one of the parties listed below or in which one of these parties has an interest, the Department may disclose those records that it deems relevant and necessary to the Department of Justice to enable that Department to effectively represent that party, if the disclosure is compatible with the purpose for which the records were collected. The parties to which this routine use applies are—

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of it components; and

(c) Any Department employee in his or her individual capacity where the Department of Justice has agreed to represent such employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Each student's records are kept in a separate file folder. All folders are filed in locked filing cabinet in the Chapter 1 classroom. After a student no longer participates in the program, his or her records are transferred to the contractor's office where they are stored in locked filing cabinets.

Retrievability:

The records are indexed by the name and identification number of students participating in the Chapter 1 program.

Safeguards:

The records are secured in a locked filing cabinet. The key is kept by the Chapter 1 teacher. After a student no longer participates in the program, the records are transferred to the contractor's office where they are stored in a locked filing cabinet. Direct access is restricted to the Chapter 1 teacher and aide during the day-to-day program operation. The instructional supervisor, representatives of the contractor, and Department of Education staff have access during monitoring visits.

Retention and disposal:

Records are maintained in the contractor's office for at least three years after final payment on the contract. Disposal of records follows the requirements of the Federal Records Disposal Act.

System manager(s) and address:

Director, Compensatory Education Programs, U.S. Department of Education, 400 Maryland Avenue, SW (Room 5102, ROB-3), Washington, D.C. 20202.

Notification procedure:

For information about a student in a program in a bypassed local educational agency in a State listed in the Appendix to this notice, the student or his or her parent or guardian (authorized individual) must notify the appropriate contractor for the State served by the bypass contract. The Appendix to this notice provides the name and address of the appropriate contractor.

For identification, the authorized individual seeking information should provide the name, home address, and school of the student for whom information is being requested. The request must meet the requirements in the Department's Privacy Act regulations at 34 CFR 5b.5.

Record access procedures:

An authorized individual must contact the appropriate contractor to obtain bypass information about a student who is or has been in a bypass program.

The authorized individual should provide the appropriate contractor with information listed in the notification procedure of this notice and reasonably specify the record contents being sought. If the authorized individual is unable to obtain satisfaction from the contractor, he or she may seek access through the system manager. The request must meet the requirements of the Department's Privacy Act regulations at 34 CFR 5b.5.

Contesting record procedures:

An authorized individual who wishes to contest the content of the record of a participating Chapter 1 student should contact the appropriate contractor for the State served by the bypass contract. See the Appendix to this notice for the name and address of the appropriate contractor. The authorized individual should identify himself or herself and state, in writing, which portion of the record the individual desires changed and provide a justification and authorization for the change. The appropriate contractor will forward the request to the system manager. The request must meet the requirements of 34 CFR 5b.7.

Record source categories:

The contractor obtains test score information from public and private schools where achievement tests for program eligibility are administered, and obtains class performance information from Chapter 1 teachers.

Systems exempted from certain provisions of the act:

None.

Appendix to System 18-40-0077

State served under the Bypass Contract:
Missouri

Contractor serving the State:

Blue Hills Homes Corporation, 1020 East 63rd Street, Kansas City, MO 64110

Sites served by the contractor:

801 Locust Street, Apt. 26, Boonville, MO 65233
Clinton Civic Center, Third and Green Streets, Clinton, MO 64501
The Body Shop, 908 Bernadette Drive, Columbia, MO 65202
1122 Cost McCarty, Jefferson City, MO 65101
Linwood YMCA, 3800 East Linwood Street, Kansas City, MO 64128

Della C. Lamb Center, 500 Woodland Street, Kansas City, MO 64124
W.E.B. Dubois Learning Center, 5501 Cleveland Street, Kansas City, MO 64130
Mid American Bank of Linn,
Linn, MO 65051
Arrow Street Office Building, 368 West Arrow Street, Marshall, MO 65340
Greenco Credit Union, 802 Breckinridge Street, Mexico, MO 65265
Sedalia Community Center, 314 South Washington Avenue, Sedalia, MO 65301
Springfield Community Center, 618 North Benton Street, Springfield, MO 65802
Tipton Rentals Center, P.O. Box 458, Tipton, MO 65081
University of Missouri Meeting Room, P.O. Box 187, Vienna, MO 65582
Rich Fountain Senior Citizens Housing Project Meeting Room, Rt No.1, Freeburg, MO 65035
Westphalia Tour Council Building, P.O. Box 85, Westphalia, MO 65085
Freeburg Fire House Building, Rt. No. 1, P.O. Box 27, Freeburg, MO 65035
The Florist Shop,
28 North Pacific Street, Cape Girardeau, MO 63701
The Public Library, 225 South High Street, Jackson, MO 63755
Box 65, Monroe, MO 63456
The Bine Apartment, 719 Bine Street, Poplar Bluff, MO 63901
360 A. Market Street St., Genevieve, MO 63670
Baden Center, 8230 North Broadway Street, St. Louis, MO 63147
Carr Lane Center, 1004 North Jefferson Avenue, St. Louis, 63106
Castleman Center, 2004 South 39th Street, St. Louis, 63110
Cherokee Center, 3200 South Jefferson Avenue, St. Louis, MO 63118
Dunn-Marquette Center, 4025 Minnesota Avenue, St. Louis, MO 63118
Fanning Center, 3417 Grace Avenue, St. Louis, MO 63116
Gardenville Center, 6651 Gravois Avenue, St. Louis, MO 63116
Kennard Center, 5031 Potomac Street, St. Louis, MO 63139
Lafayette Center, 2353 Park Avenue, St. Louis, MO 63104
Lowell Center, 1409 Linton Avenue, St. Louis, MO 63107
Natural Bridge Center, 6814 Natural Bridge Road, St. Louis, MO 63121
Wilmington Center, 5914 Leona Avenue, St. Louis, MO 63130
Candy Center, 4206 Kennerly Avenue, St. Louis, MO 63113
12th and Park Center, 1410 South 12th Street, St. Louis, MO 63104
Windsor Center, 4092 Robert Avenue, St. Louis, MO 63116
Wahl Center, 1515 North Kingshighway Boulevard, St. Louis, MO 63113

Records are also located in mobile units at various public sites in local school districts. Access to these records can be obtained by writing to the contractor:

Blue Hills Homes Corporation, 1020 East 63rd Street, Kansas City, MO 64110

Appendix to System 18-40-0077

State served under the Bypass Contract:
Virginia
Contractor serving the State:
NonPublic Educational Services, Inc., 4733 Bethesda Avenue, Suite 725, Bethesda, MD 20814
Sites served by the contractor:
Buckingham Village, Apt. 4, 221 N. Thomas Street, Arlington, VA 22203
St. Gabriel's Day Care Center, 4319 Sano Street, Alexandria, VA 22312
Education Center, 3301 Glen Carolyn Road, Falls Church, VA 22041
Little House, Spring & Broad Street, Falls Church, VA 22041
Hartwood House, 2903 Popkins Lane, Alexandria, VA 22306
McGurk House, 2425 Tate Spring Road, Lynchburg, VA 23505
Grace Street Apartment, 2506 East Grace Street, Richmond, VA 23223
Brick Learning Center, 3100 A Grove Avenue, Richmond, VA 23221
Carmel Center Nursery, 52 Harpersville Road, Newport News, VA 23601
Southside Day Nursery, 1420 McDough Street, Richmond, VA 23224
Lewis Ginter Recreation Association, 3421 Hawthorn Avenue, Richmond, VA 23222
Bartleby's, 412 Libbie Avenue, Richmond, VA 23226
Knights of Columbia, 211 West Government Avenue, Norfolk, VA 23503
St. Gregory's Credit Union, 5347 Virginia Beach Boulevard, Virginia Beach, VA 23461
Salvation Army, 2306 Airline Boulevard, Portsmouth, VA 23701
Boy Scout Building, 3341 Tidewater Drive, Norfolk, VA 23509
Artic Crescent, Apt. 3A, 317 15th Street, Virginia Beach, VA 23451
St. Mary's Infant Home, 317 Chapel Street, Norfolk, VA 23504
Thunderbird Bowling Lanes, 1577 Laskin Road, Virginia Beach, VA 23454
3407 Colly Avenue, Norfolk, VA 23508
Scout Building, 7813 Holprin Drive, Norfolk, VA 23518

18-40-0078

System name: Fellowships for Indian Students—Applications and Awards. ED/OESE/OIE

Security classification: None.

System location: Office of Indian Education, Room 2177, FOB No. 6, 400 Maryland Avenue SW, Washington, D.C. 20202.

Categories of individuals covered by the system: American Indians who are citizens of the United States or residents of the United States for other than a temporary purpose, who have been accepted by institutions of higher education in a program leading to an undergraduate or graduate degree in the fields of Business Administration, Engineering and Natural Resources or related fields, and graduate degree in the fields of education, law and medicine or related fields, and who have applied to ED's Office of Indian Education for a fellowship.

Categories of records in the system: Name, address, phone number, date and place of birth, tribal affiliation, tribal roll number, social security number, sex, marital status, citizenship, names of dependents, educational background, employment background, educational transcripts, references, income information, admission test scores.

Authority for maintenance of the system: Indian Education Act of 1972, as amended, Pub. L. 92-318, Part B, Section 423.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to members of the National Advisory Council on Indian Education. For routine uses contained in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1 through 9); for Field Readers for the purpose of determining eligibility and recommending awardees; selected data for developing brochures describing the Fellows and their career goals for public information purposes; and to Congressional officers in response to inquiries from those offices made at the request of individuals on whom records are kept. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in locked standard file cabinets.

Retrievability: Records are accessed by individual names only by ED authorized staff and Field Readers for the purposes of determining eligibility; selecting Fellows: Establishing allowances for stipends, dependents, tuition, and other expenses; determining continued eligibility; and developing profile information regarding recipients of fellowships for program evaluation, planning, reporting and publicity purposes.

Retention and disposal: Records on fellowship holders are sent to the Federal Records Center six months after final payment. They are destroyed by the Federal Records Center three years after final payment. Records on alternates are maintained for one year. They are then sent to the Federal Records Center where they are destroyed one year later. Application forms from applicants not selected as Fellows or alternates are returned to the applicant. Other records on these applicants, containing information on the selection procedure, are maintained for one year and then sent to the Federal Records Center where they are destroyed three years later.

System manager(s) and address: Deputy Assistant Secretary, Office of Indian Education, ATTN: Education Program Specialist for Fellowships, Room 2177, FOB No. 6, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: Contact Education Program Specialist for Fellowships.

Record access procedures: Contact Education Program Specialist for Fellowships.

Contesting record procedures: Contact Education Program Specialist for Fellowships.

Record source categories: Information is submitted by the individual applicant on approved forms. References are submitted on approved forms.

Systems exempted from certain provisions of the act: None.

18–40–0079

System name: Potential and Actual Consultant, Field Reader, and Site Visitor Files, Indexes, and Lists. ED.

Security classification: None.

System location: See Appendix I of this system (18–40–0079).

Categories of individuals covered by the system: Actual and prospective consultants, field readers, or site visitors used by the Department of Education to evaluate grant proposals, performance of grantees or contractors.

Categories of records in the system: Names of consultant, field reader, and site visitor addresses, position, institutional affiliation (if any), curriculum vitae (where necessary), social security number for reimbursement purposes, reimbursement information, areas of individual expertise, tracking of assignments and appraisal of effort.

Authority for maintenance of the system: (20 U.S.C. 1221e–3). Information is provided by persons interested in participating on a voluntary basis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To general public, on request, list of names and business addresses of potential and/or actual consultants, field readers, or site visitors. For uses as stated in 34 CFR Part 5b, Appendix B, items 1, 3, 4, 5, 6, 7, 8, and 9. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in file cabinets or card files with pertinent data, and (in limited locations) computer data based tapes and disks.

Retrievability: By name, expertise, or social security number of potential or actual consultant, reader, or site visitor. Records are used to ensure that a fair, equal, and qualified group of consultants, readers, or site visitors is selected to review proposals or evaluate performances.

Safeguards: Direct access is restricted to persons designated by systems managers to be responsible for maintenance of file or selection of panels of consultants, readers, or site visitors. Automated locations are protected by requiring a password as well as a key lock on the terminal.

Retention and disposal: Destroy after five years (Item 25 OE Records Control Schedule).

System manager(s) and address: See Appendix I.

Notification procedure: Contact system manager of pertinent organizational component(s). Provide name and approximate date of previous correspondence. Additional verifying data (such as birthdate, home address) may be requested.

Record access procedures: Contact system manager as above.

Contesting record procedures: Contact system manager as above.

Record source categories: Information forwarded voluntarily by individuals interested in serving as consultants, readers, or site visitors, obtained by contacting individuals with specific expertise in the pertinent discipline of each system manager.

Systems exempted from certain provisions of the act: None.

Appendix I

Director, Office of Gifted and Talented, Room 3831, Donohoe, 400 Maryland Avenue SW, Washington, D.C. 20202

Progam Manager, Learning Disabilities Program, Room 3127, Donohoe, 400 Maryland Avenue SW, Washington, D.C. 20202

Director, Division of Local Educational Agency Assistance, Room 2167, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Training and Facilities, Room 3066, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Community College Unit, Room 3044, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Program Operations, Room 2007, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Technical Assistance, Room 2031, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202

Program Manager, Handicapped Research Program, Room 3165, Donohoe, 400 Maryland Avenue, SW, Washington, D.C. 20202

Administrative Officer, Bureau of Education for the Handicapped, Room 4030, Donohoe, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Special Projects and Programs, Room 2161, FOB No. 6, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of International Education, Room 3907, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Institutional Development, Room 3052, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Office of Environmental Education, Room 1100, Donohoe Building, 400 6th Street SW, Washington, D.C. 20202

Deputy Assistant Secretary. Equal Educational Opportunity Programs, Room 2001, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Education Replication, Room 3616, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Chief, Library Research and Demonstration Branch, Room 3124, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Executive Officer, Bureau of Occupational and Adult Ed, Room 5636, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Women's Program Staff, Room 1100, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202

Privacy Coordinator, P.O. Box 8370, Boston, MA 02114

Privacy Coordinator, Room 406, 26 Federal Plaza, New York, NY 10007

Privacy Coordinator, 3535 Market Street, Room 16200, Philadelphia, PA 19104

Privacy Coordinator, 32nd Floor, 300 South Wacker Drive, Chicago, IL 60606

Privacy Coordinator, Room 360, FOB, 601 East 12th Street, Kansas City, MO 64106

Privacy Coordinator, 50 Fulton Street, San Francisco, CA 94102

Chif, Library Education and Postsecondary Resources Branch, Room 3622, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Chief, Educational Broadcasting Facilities Branch, Room 3122-A, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Director, Division of Educational Technology, Room 3116, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Program Manager, Metric Education Program Staff, Room 3700, Donohoe Building, 400 Maryland Avenue, SW, Washington, D.C. 20202

Deputy Director, Office of Career Education, Room 3100, ROB No. 3, 7th and D Streets, SW, Washington, D.C. 20202

Executive Officer, Bureau of Higher and Continuing Education, Room 4072, ROB No. 3, 400 Maryland Avenue, SW, Washington, D.C. 20202

Privacy Coordinator, Room 513, 50 Seventh Street, NE, Atlanta, GA 30323

Privacy Coordinator, 1114 Commerce Street, Dallas, TX 75202

Privacy Coordinator, Room 3444A, FOB, 1961 Stout Street, Denver, CO 80202

Privacy Coordinator, Room 515, Arcade Plaza Building, 1321 Second Avenue, Seattle, WA 98101

Director, Arts and Humanities, Room 3728, Donohoe Bldg., 400 6th Street SW, Washington, D.C. 20202

Acting Director, Law Related, Room 1630, Donohoe Bldg., 400 6th Street SW, Washington, D.C. 20202

Director, Basic Skills Program, Room 1167, Donohoe Bldg., 400 6th Street SW, Washington, D.C. 20202

Director, Womens Educational Equity Act Program, Room 1100, Donohoe Bldg., 400 6th Street SW, Washington, D.C. 20202

Director, Ethnic Heritage Studies Program, Room 3928, Donohoe Bldg., 400 6th Street SW, Washington, D.C. 20202

Director, Metric Education Program, Room 835, Riviere Bldg., 1832 M Street NW, Washington, D.C. 20036

Director, Consumer Education Program, Room 807, Riviere Bldg., 1832 M Street NW, Washington, D.C. 20036

18-40-0080

System name: Training and Development Awards for Vocational Education Personnel—Applications and Awards. ED/OVAE.

Security classification: None.

System location: ROB No. 3, Room 5636, 7th and D Streets SW, Washington, D.C. 20202

Categories of individuals covered by the system: Persons who wish to participate in Federal vocational education fellowship programs and who voluntarily submit personal information.

Categories of records in the system: Name, address, phone number, date of birth, sex, educational background, employment background, educational transcript, references, test scores, minority group membership, State board recommendations, communication skills; for Leadership Development Awards, special leadership qualifications, management skills, leadership potential; for Teacher Certification Awards, certification requirements, certification status, human relation skills, and vocational skills.

Authority for maintenance of the system: Vocational Education Act of 1963, Title I, Part B. Subpart 2, Section 172, as amended by the Education Amendments of 1976, Pub. L. 94-482, Title II.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses contained in 34 CFR Part 5b, Appendix B, items 1 through 9; for Field Readers for the purposes of determining eligibility and recommending awardees; selected data for developing brochures describing the Fellows and their career goals for public information purposes; and to Congressional offices in response to inquiries from those offices made at the request of individuals on whom records are kept. A copy of the application is forwarded for review purposes to the institution of higher education to which the awardee is assigned and to the State Board of the State in which the applicant resides. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to affect directly the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent the employee, the Department may disclose the records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent the party, provided the disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in locked standard file cabinets.

Retrievability: Records are accessed by individual names only by authorized ED staff and Field Readers for the purposes of: Determining eligibility; selecting Fellows; establishing allowances for stipends, dependents, tuition, and other expenses; determining continued eligibility; and the developing profile information regarding recipients of fellowships for program evaluation, planning, reporting and publicity purposes.

Safeguards: Direct access is restricted to authorized ED staff.

Retention and disposal: Records on fellowship holders are sent to the Federal Records Center six months after final payment. They are destroyed by the Federal Records Center three years after final payment. Records on alternates are maintained for two years for Teacher Certification Awards and three years for Leadership Development Awards. They are then sent to the Federal Records Center where they are destroyed one year later. Application forms from applicants not selected as Fellows or alternates are returned to the applicant. Other records on these applications, containing information on the selection procedures, are maintained for one year and then destroyed.

System manager(s) and address: Chief, Personnel Development Branch, Office of Vocational and Adult Education, ROB-3, Room 5636, 400 Maryland Avenue SW, Washington, D.C. 20202.

Notification procedure: An individual should provide his or her name to the system manager in order to verify whether his or her application is in the system.

Record access procedures: An individual who is interested in seeing his or her application should contact the system manager, and be prepared to verify his or her identify to the system manager.

Contesting record procedures: An individual who wishes to contest the contents of an application file in his or her system should contact the system manager, identify the portion of the application to be changed, and provide written justification and authorization for the change.

Record source categories: Information is submitted by the individual applicant on approved forms. References are attached to applications.

Systems exempted from certain provisions of the act: None.

18-40-0081

System name: Women Administrators in Vocational Education. ED/OVAE.

Security classification: None.

System location: The National Center for Research in Vocational Education, The Ohio State University, 1960 Kenny Road, Columbus, Ohio 43210.

Categories of individuals covered by the system: Women administrators of vocational education programs who voluntarily submit personal information to be published in a Directory of Women Administrators in Vocational Education. A panel of six vocational education administrators representing two State educational agencies, two local educational agencies, universities/colleges, and junior/community colleges/technical institutes will choose which individuals to invite to submit information for publication in the directory.

Categories of records in the system: Name, job title; employing organization; size of budget administered; number of vocational programs, students, and teachers supervised; school district serving; percentage of time devoted to administering a vocational-technical education program; number of years in present position; highest level of education; specialized training in administration; area of expertise; experience in policymaking and decisionmaking; and membership in professional administration associations. All information in this system will become public information.

Authority for maintenance of the system: Section 171(a)(1) and (2) of the Vocational Education Act of 1963 as amended by Section 202(a) of Pub. L. 94-482. Information is provided voluntarily. Failure to provide the information would result in the individual not being included in the directory.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: As all information in this system will be public, and not subject to disclosure accounting (34 CFR 5b.9(c)), there are no routine use disclosures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The directory will be printed and distributed to the Department of Education, members of the Directory Selection Criteria Panel, ERIC, and staff of the National Center for Research in Vocational Education. The directory will also be made available to the vocational education community and other interested persons on a cost-recovery basis through the National Center for Research in Vocational Education Publication Department. Survey forms will be stored in standard file cabinets and on magnetic tape.

Retrievability: ED, its contractor, and other users retrieve information by name of an individual. The users will utilize information to identify and contact respondents whose skills and experience might qualify them for job opportunities, or to participate in meetings on vocational education.

Safeguards: Only authorized contractor employees, or employees of ED, will have access to individual data in the system. The contractor will maintain information in accordance with NBS and departmental ADP security standards. This limited access will serve to protect the integrity of individual data in the system.

Retention and disposal: ED will maintain hard copy until the information is obsolete. ED will maintain magnetic tapes until the contractor updates the directory. Then, the tapes are destroyed.

System manager(s) and address: Project Director for Director of Women Administrators, Research Branch, Office of Vocational and Adult Education, Room 5018, ROB No. 3, 7th and D Streets, SW, Washington, D.C. 20202.

Notification procedure: In order to determine whether a record exists in the system of records under her name an individual should either consult the directory or contact the system manager at the above address, and provide her name.

Record access procedures: An individual interested in seeing her record should contact the system manager, provide her name, and reasonably specify the record contents being sought.

Contesting record procedures: An individual who wishes to contest the content of a record in the system should contact the system manager, identify herself, and state, in writing, which portion of the record should be changed. The individual should also provide a justification and authorization for the change.

Record source categories: Individuals will provide necessary information directly to the Department of Education and its contractor on a voluntary basis.

Systems exempted from certain provisions of the act: None.

18-42-0016

System name: Northwest Regional Educational Laboratory, Experienced Based Career Education Record System. ED/NIE.

Security classification: None.

System location: 333 Oak Street, Portland, Oregon 97204.

Categories of individuals covered by the system: Students, parents, employers, adopters, potential adopters involved with the EBCE program.

Categories of records in the system: System includes information on aptitude, achievement, student background, family background, attitudinal, interest, opinion, descriptive data on employer businesses, descriptive data on school districts, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records can be retrieved by name (hard copy files) or assigned ID number (computer files) and are for monitoring progress of project-product development and for research, development, evaluation, and analysis of educational materials, projects, programs, including study of medium and long-term program effects.

Safeguards: Access is limited to authorized personnel; locked file cabinets and building security are procedures used. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address: Assistant Director, Home, Work, and Community, T and L, National Institute of Education, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager, address in preceding paragraph, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department regulations (34 CFR 5b.5(a)(2)) 45 FR 30808, May 9, 1980.

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980.)

Record source categories: Students, parents, school district, employers, adopters and potential adopters of EBCE program.

Systems exempted from certain provisions of the act: None.

18-42-0019

System name: Far West Laboratory Experienced Based Career Education Records System. ED/OERI/NIE

Security classification: None.

System location: 1855 Folsom Street, San Francisco, California 94103.

Categories of individuals covered by the system: Students, parents, employers, potential adopters, adopters.

Categories of records in the system: Aptitude, achievement, student background, family background, attitudinal, interest, opinion, descriptive data on employer businesses, descriptive data on school districts, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers (hard copy), and on punch cards and magnetic tape.

Retrievability: Records can be retrieved by name (hard copy file) or assigned ID number (computer files) and are for monitoring progress of project/product development and for research, development, evaluation and analysis of educational materials, projects, programs, including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; records kept in locked cabinets and buildings with controlled access 24 hours a day. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address: Assistant Director, Home, Work, and Community, T and L, National Institute of Education, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager, address in preceding paragraph, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number, and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30808; May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedure, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: Students, parents, school districts, employers, adopters and potential adopters of EBCE Program.

Systems exempted from certain provisions of the act: None.

18-42-0056

System name: National Institute of Education, Sources and Effects of Teacher Expectations. ED/OERI/NIE.

Security classification: None.

System location: 1200 19th Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: Seven first grade teachers and their 196 students in the Washington, D.C. area.

Categories of records in the system: Cross sectional and longitudinal records on teachers' expectations, background, behaviors, and students' interactions, grades, SES, parental involvement. For use in determing the effects of teachers expectations on student achievement gains.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records to authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The data are stored on magnetic tape which is stored in a locked filing cabinet.

Retrievability: The data are indexed by teachers', students' and principals' names. Identifiers are coded, and kept separate in a locked file from the master tapes. The data are used by members of the program staff to identify effective teacher behaviors. They are collected for statistical purposes only, and not for the determination of any individual's benefits or entitlements.

Safeguards: Tapes are coded and kept in locked room. Access is to authorized personnel only. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: NIE will maintain the list of names until June 1981, at which time NIE will archive the data without personally identifiable information, and will destroy the list of names.

System manager(s) and address: Associate Director, Teaching and Learning, Room 819, 1200 19th Street, NW, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager at the address in the preceding paragraph and must include the inquirer's name and address, dates of previous correspondence, and the system ID number and name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30808, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: Interviews, questionnaires of participants in the sample, and observations during testing. All data were furnished voluntarily.

Systems exempted from certain provisions of the act: None.

18-42-0065

System name: NIE Outside Experts. ED/NIE.

Security classification: None.

System location: Room 722, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: Individuals who have been used as outside experts.

Categories of records in the system: Name, department or title, institution, address, institutional category, academic discipline, type of work, year of birth, academic degrees and experience of individuals who have been used as outside experts, together with task(s) performed.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data are used to prepare periodic lists of outside experts and the tasks they have performed and aggregate figures on categories of persons used. These lists and figures are used internally to monitor and improve NIE efforts to involve men and women covering a wide variety of institutions, disciplines, type of work, ethnic background, geographical location, and ages, in development and evaluation of its programs. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in computer disk files, with printouts as appropriate.

Retrievability: These lists and figures may be released as a matter of public interest; lists of names that may be made public do not indicate sex or ethnicity of individuals.

Safeguards: Code number keys protect access to sensitive data. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Deputy Director for Management, Room 722, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Notification procedure: System manager; for general inquiries, name, system name and I.D. number and date of previous correspondence is applicable. Address is in preceding paragraph.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30809, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: Data compiled from published biographies or curriculum vitae provided voluntarily or as a condition for obtaining a contract or temporary personnel appointment. Sex and ethnicity are included when known.

Systems exempted from certain provisions of the act: None.

18-42-0078

System name: Travel—Official Travel of NIE Personnel. ED/NIE.

Security classification: None.

System location: National Institute of Education, Room 711 M, 1832 M Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: NIE Personnel.

Categories of records in the system: Names of personnel on official travel, including points of travel, purpose and expenses.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Accounting Office, in the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored in cabinet files.

Retrievability: Data are indexed by name. Records are available to NIE Personnel.

Safeguards: Data are for use by authorized personnel only. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Travel materials are maintained for 3 years or until auditing.

System manager(s) and address: Chief, Financial and Data Management Division, Room 711 M, 1832 M Street, NW, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager at the address above and must include the inquirer's name and address, the system ID number and name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30808, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7) 45 FR 30810, May 9, 1980).

Record source categories: Materials obtained during course of travel pertaining to authorization of travel, expenses incurred, and other fiscal data.

Systems exempted from certain provisions of the act: None.

18–42–0079

System name: NIE Controlled Correspondence. ED/OERI/NIE.

Security classification: None.

System location: Room 722, 1200 19th Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: Members of the general public, members of Congress, members of the educational community and others who correspond on a variety of matters with the Institute.

Categories of records in the system: Correspondence on a variety of matters including general inquiries, Congressional inquiries on behalf of constituents, unsolicited proposals, requests for program information, requests for staff assistance, inquiries on employment opportunities, and other matters.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses in the Departmental Regulations (34 CFR Part 5b, Appendix B, items 1 through 9). In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored in cardex form and in folders in file cabinets.

Retrievability: Indexed by name, by State, and by subject matter. Data are utilized by authorized staff within the Institute in the performance of their duties.

Safeguards: Access is limited to authorized personnel. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: All files are retained for two years and then boxed and forwarded to the Federal Records Center.

System manager(s) and address: Executive Secretariat, Room 722, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager, and must include inquirer's name, address, dates of previous correspondence, the system name, and I.D. number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30810, May 9, 1980).

Record source categories: Data are obtained from correspondence addressed to the Institute from a variety of sources including the general public, prospective contractors, members of Congress, and others.

Systems exempted from certain provisions of the act: None.

18–42–0082

System name: National Council on Educational Research Mailing Lists. ED/OERI/NIE.

Security classification: None.

System location: Room 729, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: Members of various governmental agencies and the public.

Categories of records in the system: Names and addresses of individuals receiving: Minutes of Council meetings, resolutions adopted by the Council, lists of names and addresses of Council members (current), annual report of the Council, miscellaneous materials available for dissemination.

Authority for maintenance of the system: Section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Dissemination of information resulting from the meetings of the National Council on Educational Research. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence files and the mailing lists are maintained in file folders in unlocked area.

Retrievability: Records are filed by name of correspondent and are used by authorized staff to disseminate information on Council activities.

Safeguards: Access to mailing lists available only to authorized personnel. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records maintained as long as mailing lists are active.

System manager(s) and address: Chief, National Council on Educational Research Staff, Room 729, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager, address in preceding paragraph, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30808, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: From the correspondents themselves.

Systems exempted from certain provisions of the act: None.

18–42–0083

System name: National Council on Educational Research Current and Past Information on Members of the Council and Consultants. ED/OERI/NIE.

Security classification: None.

System location: Room 729, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Categories of individuals covered by the system: Current and past members of the National Council on Educational Research and Consultants.

Categories of records in the system: Current and past records of the Council pertaining to: Personnel matters (personal records, biographical data, etc.), lists of names and addresses of members, records on Council nominees, Council fiscal records.

Authority for maintenance of the system: Section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file folders and kept in locked file cabinets.

Retrievability: Records are indexed by name—some by date. Records available only to authorized personnel on a "need-to-know" basis (working files and reference, estimating future budget needs, current names and addresses of Council members provided to individuals upon request).

Safeguards: File cabinets are locked during nonworking hours. Access is limited to authorized personnel. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, National Council on Educational Research Staff, Room 729, Brown Building, 1200 19th Street, NW, Washington, D.C. 20208.

Notification procedure: Written inquiries must be made to the system manager, address in preceding paragraph, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (34 CFR 5b.5(a)(2)), 45 FR 30808, May 9, 1980).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (34 CFR 5b.7), 45 FR 30810, May 9, 1980).

Record source categories: Information from Council members and other areas of the agency.

Systems exempted from certain provisions of the act: None.

EDUCATION DEPARTMENT

34 CFR PART 5b—PRIVACY ACT REGULATIONS

Sec.

5b.1 Definitions.
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Appendix A—Employee Standards of Conduct
Appendix B—Routine Uses Applicable to More Than One System of Records Maintained by ED

Authority: 5 U.S.C. 301, 5 U.S.C. 552a.

Source: 45 FR 30808, May 9, 1980, unless otherwise noted.

§ 5b.1 Definitions.

As used in this part:

(a) "Access" means availability of a record to a subject individual.

(b) "Agency" means the Department of Education.

(c) "Department" means the Department of Education.

(d) "Disclosure" means the availability or release of a record to anyone other than the subject individual.

(e) "Individual" means a living person who is a citizen of the United States or an alien lawfully admitted for permanent residence. It does not include persons such as sole proprietorships, partnerships, or corporations. A business firm which is identified by the name of one or more persons is not an individual within the meaning of this part.

(f) "Maintain" means to maintain, collect, use, or disseminate when used in connection with the term "record"; and, to have control over or responsibility for a system of records when used in connection with the term "system of records."

(g) "Notification" means communication to an individual whether he is a subject individual.

(h) "Record" means any item, collection, or grouping of information about an individual that is maintained by the Department, including but not limited to the individual's education, financial transactions, medical history, and criminal or employment history and that contains his name, or an identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. When used in this part, record means only a record which is in a system of records.

(i) "Responsible Department official" means that officer who is listed in a notice of a system of records as the system manager for a given system of records or another individual listed in the notice of a system of records to whom requests may be made, or the designee of either such officer or individual.

(j) "Routine use" means the disclosure of a record outside the Department, without the consent of the subject individual, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the Freedom of Information Act, 5 U.S.C. 552. It does not include disclosures which are permitted to be made without the consent of the subject individual which are not compatible with the purpose for which it was collected such as disclosures to the Bureau of the Census, the General Accounting Office, or to Congress.

(k) "Secretary" means the Secretary of Education.

(l) "Statistical record" means a record maintained for statistical research or reporting purposes only and not maintained to make determinations about a particular subject individual.

(m) "Subject individual" means that individual to whom a record pertains.

(n) "System of records" means any group of records under the control of the Department from which a record is retrieved by personal identifier such as the name of the individual, number, symbol or other unique retriever assigned to the individual. Single records or groups of records which are not retrieved by a personal identifier are not part of a system of records. Papers maintained by individual employees of the Department which are prepared, maintained, or discarded at the discretion of the employee and which are not subject to the Federal Records Act, 44 U.S.C. 2901, are not part of a system of records; *Provided*, That such personal papers are not used by the employee or the Department to determine any rights, benefits, or privileges of individuals.

[45 FR 30808, May 9, 1980; 45 FR 37426, June 3, 1980]

§ 5b.2 Purpose and scope.

(a) This part implements section 3 of the Privacy Act of 1974, 5 U.S.C. 552a (hereinafter referred to as the Act), by establishing agency policies and procedures for the maintenance of records. This part also establishes agency policies and procedures under which a subject individual may be given notification of or access to a record pertaining to him and policies and procedures under which a subject individual may have his record corrected or amended if he believes that his record is not accurate, timely, complete, or relevant or necessary to accomplish a Department function.

(b) All components of the Department are governed by the provisions of this part. Also governed by the provisions of this part are advisory committees and councils within the meaning of the Federal Advisory Committee Act which provide advice to (1) any official or component of the Department or (2) the President and for which the Department has been delegated responsibility for providing services.

(c) Employees of the Department governed by this part include all regular and special government employees of the Department; experts and consultants whose temporary (not in excess of 1 year) or intermittent services have been procured by the Department by contract pursuant to section 3109 of title 5, United States Code; volunteers where acceptance of their services are authorized by law; those individuals performing gratuitous services as permitted under conditions prescribed by the Office of Personnel Management; and, participants in work-study or training programs.

(d) This part does not:

(1) Make available to a subject individual records which are not retrieved by that individual's name or other personal identifier.

(2) Make available to the general public records which are retrieved by a subject individual's name or other personal identifier or make available to the general public records which would otherwise not be available to the general public under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(3) Govern the maintenance or disclosure of, notification of or access to, records in the possession of the Department which are subject to regulations of another agency, such as personnel records subject to the regulations of the Office of Personnel Management.

(4) Apply to grantees, including State and local governments or subdivisions thereof, administering federally funded programs.

(5) Make available records compiled by the Department in reasonable anticipation of court litigation or formal administrative proceedings. The

availability of such records to the general public or to any subject individual or party to such litigation or proceedings shall be governed by applicable constitutional principles, rules of discovery, and applicable regulations of the Department.

§ 5b.3 Policy.

It is the policy of the Department to protect the privacy of individuals to the fullest extent possible while nonetheless permitting the exchange of records required to fulfill the administrative and program responsibilities of the Department, and responsibilities of the Department for disclosing records which the general public is entitled to have under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

§ 5b.4 Maintenance of records.

(a) No record will be maintained by the Department unless:

(1) It is relevant and necessary to accomplish a Department function required to be accomplished by statute or Executive Order;

(2) It is acquired to the greatest extent practicable from the subject individual when maintenance of the record may result in a determination about the subject individual's rights, benefits or privileges under Federal programs;

(3) The individual providing the record is informed of the authority for providing the record (including whether the providing of the record is mandatory or voluntary, the principal purpose for maintaining the record, the routine uses for the record, what effect his refusal to provide the record may have on him), and if the record is not required by statute or Executive Order to be provided by the individual, he agrees to provide the record.

(b) No record will be maintained by the Department which describes how an individual exercises rights guaranteed by the First Amendment unless expressly authorized (1) by statute, or (2) by the subject individual, or (3) unless pertinent to and within the scope of an authorized law enforcement activity.

§ 5b.5 Notification of or access to records.

(a) *Times, places, and manner of requesting notification of or access to a record.* (1) Any individual may request notification of a record. He may at the same time request access to any record pertaining to him. An individual may be accompanied by another individual of his choice when he requests access to a record in person; *Provided,* That he affirmatively authorizes the presence of such other individual during any discussion of a record to which access is requested.

(2) An individual making a request for notification of or access to a record shall address his request to the responsible Department official and shall verify his identity when required in accordance with paragraph (b)(2) of this section. At the time the request is made, the individual shall specify which systems of records he wishes to have searched and the records to which he wishes to have access. He may also request that copies be made of all or any such records. An individual shall also provide the responsible Department official with sufficient particulars to enable such official to distinguish between records on subject individuals with the same name. The necessary particulars are set forth in the notices of systems of records.

(3) An individual who makes a request in person may leave with any responsible Department official a request for notification of or access to a record under the control of another responsible Department official; *Provided,* That the request is addressed in writing to the appropriate responsible Department official.

(b) *Verification of identity*—(1) *When required.* Unless an individual, who is making a request for notification of or access to a record in person, is personally known to the responsible Department official, he shall be required to verify his identity in accordance with paragraph (b)(2) of this section if:

(i) He makes a request for notification of a record and the responsible Department official determines that the mere disclosure of the existence of the record would be a clearly unwarranted invasion of privacy if disclosed to someone other than the subject individual; or,

(ii) He makes a request for access to a record which is not required to be disclosed to the general public under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(2) *Manner of verifying identity.* (i) An individual who makes a request in person shall provide to the responsible Department official at least one piece of tangible identification such as a driver's license, passport, alien or voter registration card, or union card to verify his identity. If an individual does not have identification papers to verify his identity, he shall certify in writing that he is the individual who he claims to be and that he understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act subject to a $5,000 fine.

(ii) Except as provided in paragraph (b)(2)(v) of this section, an individual who does not make a request in person shall submit a notarized request to the responsible Department official to verify his identity or shall certify in his request that he is the individual who he claims to be and that he understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act subject to a $5,000 fine.

(iii) An individual who makes a request on behalf of a minor or legal incompetent as authorized under § 5b.10 of this part shall verify his relationship to the minor or legal incompetent, in addition to verifying his own identity, by providing a copy of the minor's birth certificate, a court order, or other competent evidence of guardianship to the responsible Department official; *except that,* an individual is not required to verify his relationship to the minor or legal incompetent when he is not required to verify his own identity or when evidence of his relationship to the minor or legal incompetent has been previously given to the responsible Department official.

(iv) An individual shall further verify his identity if he is requesting notification of or access to sensitive records. Any further verification shall parallel the record to which notification or access is being sought. Such further verification may include such particulars as the individual's years of attendance at a particular educational institution, rank attained in the uniformed services, date or place of birth, names of parents, or an occupation.

(v) An individual who makes a request by telephone shall verify his identity by providing to the responsible Department official identifying particulars which parallel the record to which notification or access is being sought. If the responsible Department official determines that the particulars provided by telephone are insufficient, the requester will be required to submit the request in writing or in person. Telephone requests will not be accepted where an individual is requesting notification of or access to sensitive records.

(c) *Granting notification of or access to a record.* (1) Subject to the provisions governing exempt systems in § 5b.11 of this part, a responsible Department official, who receives a request for notification of or access to a record and, if required, verification of an individual's identity, will review the request and grant notification or access to a record, if the individual requesting access to the record is the subject individual.

(2) If the responsible Department official determines that there will be a delay in responding to a request because of the number of requests being processed, a breakdown of equipment, shortage of personnel, storage of records in other locations, etc., he will so inform the individual and indicate when notification or access will be granted.

(3) Prior to granting notification of or access to a record, the responsible Department official may at his discretion require an individual making a request in person to reduce his request to writing if the individual has not already done so at the time the request is made.

§ 5b.7 Procedures for correction or amendment of records.

(a) Any subject individual may request that his record be corrected or amended if he believes that the record is not accurate, timely, complete, or relevant or necessary to accomplish a Department function. A subject individual making a request to amend or correct his record shall address his request to the responsible Department official in writing; *except that*, the request need not be in writing if the subject individual makes his request in person and the responsible Department official corrects or amends the record at that time. The subject individual shall specify in each request:

(1) The system of records from which the record is retrieved;

(2) The particular record which he is seeking to correct or amend;

(3) Whether he is seeking an addition to or a deletion or substitution of the record; and,

(4) His reasons for requesting correction or amendment of the record.

(b) A request for correction or amendment of a record will be acknowledged within 10 working days of its receipt unless the request can be processed and the subject individual informed of the responsible Department official's decision on the request within that 10 day period.

(c) If the responsible Department official agrees that the record is not accurate, timely, or complete based on a preponderance of the evidence, the record will be corrected or amended. The record will be deleted without regard to its accuracy, if the record is not relevant or necessary to accomplish the Department function for which the record was provided or is maintained. In either case, the subject individual will be informed in writing of the correction, amendment, or deletion and, if accounting was made of prior disclosures of the record, all previous recipients of the record will be informed of the corrective action taken.

(d) If the responsible Department official does not agree that the record should be corrected or amended, the subject individual will be informed in writing of the refusal to correct or amend the record. He will also be informed that he may appeal the refusal to correct or amend his record § 5b.8 of this part.

(e) Requests to correct or amend a record governed by the regulation of another government agency, *e.g.*, Office of Personnel Management, Federal Bureau of Investigation, will be forwarded to such government agency for processing and the subject individual will be informed in writing of the referral.

§ 5b.8 Appeals of refusals to correct or amend records.

(a) *Processing the appeal.* (1) A subject individual who disagrees with a refusal to correct or amend his record may appeal the refusal in writing. All appeals shall be made to the Secretary.

(2) An appeal will be completed within 30 working days from its receipt by the appeal authority; *except that*, the appeal authority may for good cause extend this period for an additional 30 days. Should the appeal period be extended, the subject individual appealing the refusal to correct or amend the record will be informed in writing of the extension and the circumstances of the delay. The subject individual's request to amend or correct the record, the responsible Department official's refusal to correct or amend, and any other pertinent material relating to the appeal will be reviewed. No hearing will be held.

(3) If the appeal authority agrees that the record subject to the appeal should be corrected or amended, the record will be amended and the subject individual will be informed in writing of the correction or amendment. Where an accounting was made of prior disclosures of the record, all previous recipients of the record will be informed of the corrective action taken.

(4) If the appeal is denied, the subject individual will be informed in writing:

(i) Of the denial and the reasons for the denial;

(ii) That he has a right to seek judicial review of the denial; and,

(iii) That he may submit to the responsible Department official a concise statement of disagreement to be associated with the disputed record and disclosed whenever the record is disclosed.

(b) *Notation and disclosure of disputed records.* Whenever a subject individual submits a statement of disagreement to the responsible Department official in accordance with paragraph (a)(4)(iii) of this section, the record will be noted to indicate that it is disputed. In any subsequent disclosure, a copy of the subject individual's statement of disagreement, will be disclosed with the record. If the responsible Department official deems it appropriate, a concise statement of the appeal authority's reasons for denying the subject individual's appeal may also be disclosed with the record. While the subject individual will have access to this statement of reasons, such statement will not be subject to correction or amendment. Where an accounting was made of prior disclosures of the record, all previous recipients of the record will be provided a copy of the subject individual's statement of disagreement, as well as the statement, if any, of the appeal authority's reasons for denying the subject individual's appeal.

§ 5b.9 Disclosure of records.

(a) *Consent to disclosure by a subject individual.* (1) Except as provided in paragraph (b) of this section authorizing disclosures of records without consent, no disclosure of a record will be made without the consent of the subject individual. In each case the consent, whether obtained from the subject individual at the request of the Department or whether provided to the Department by the subject individual on his own initiative, shall be in writing. The consent shall specify the individual, organizational unit or class of individuals or organizational units to whom the record may be disclosed, which record may be disclosed and, where applicable, during which time frame the record may be disclosed (*e.g.*, during the school year, while the subject individual is out of the country, whenever the subject individual is receiving specific services). A blanket consent to disclose all of a subject individual's records to unspecified individuals or organizational units will not be honored. The subject individual's identity and, where applicable (*e.g.*, where a subject individual gives consent to disclosure of a record to a specific individual), the identity of the individual to whom the record is to be disclosed shall be verified.

(2) A parent or guardian of any minor is not authorized to give consent to a disclosure of the minor's medical record.

(b) *Disclosures without the consent of the subject individual.* The disclosures listed in this paragraph may be made without the consent of the subject individual. Such disclosures are:

(1) To those officers and employees of the Department who have a need for the record in the performance of their duties. The responsible Department official may upon request of any officer or employee, or on his own initiative, determine what constitutes legitimate need.

(2) Required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(3) For a routine use as defined in paragraph (j) of § 5b.1. Routine uses will be listed in any notice of a system of records. Routine uses published in Appendix B are applicable to more than one system of records. Where applicable, notices of systems of records may contain references to the routine uses listed in Appendix B. Appendix B will be published with any compendium of notices of systems of records.

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13 U.S.C.

(5) To a recipient who has provided the agency with advance written assurance that the record will be used solely as a statistical research or reporting record; *Provided,* That, the record is transferred in a form that does not identify the subject individual.

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value.

(7) To another government agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of such government agency or instrumentality has submitted a written request to the Department specifying the record desired and the law enforcement activity for which the record is sought.

(8) To an individual pursuant to a showing of compelling circumstances affecting the health or safety of any individual if a notice of the disclosure is transmitted to the last known address of the subject individual.

(9) To either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee.

(10) To the Comptroller General, or any of the Comptroller General's authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(11) Pursuant to the order of a court of competent jurisdiction.

(c) *Accounting of disclosures.* (1) An accounting of all disclosures of a record will be made and maintained by the Department for 5 years or for the life of the record, whichever is longer; *except that,* such an accounting will not be made:

(i) For disclosures under paragraphs (b) (1) and (2) of this section; and,

(ii) For disclosures made with the written consent of the subject individual.

(2) The accounting will include:

(i) The date, nature, and purpose of each disclosure; and

(ii) The name and address of the person or entity to whom the disclosure is made.

(3) Any subject individual may request access to an accounting of disclosures of a record. The subject individual shall make a request for access to an accounting in accordance with the procedures in § 5b.5 of this part. A subject individual will be granted access to an accounting of the disclosures of a record in accordance with the procedures of this part which govern access to the related record. Access to an accounting of a disclosure of a record made under paragraph (b)(7) of this section may be granted at the discretion of the responsible Department official.

§ 5b.10 Parents and guardians.

For the purpose of this part, a parent or guardian of any minor or the legal guardian or any individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction is authorized to act on behalf of an individual or a subject individual. Except as provided in paragraph (b)(2) of § 5b.5, of this part governing procedures for verifying an individual's identity, an individual authorized to act on behalf of a minor or legal incompetent will be viewed as if he were the individual or subject individual.

§ 5b.11 Exempt systems.

(a) *General policy.* The Act permits certain types of specific systems of records to be exempt from some of its requirements. It is the policy of the Department to exercise authority to exempt systems of records only in compelling cases.

(b) *Specific systems of records exempted.* (1) Those systems of records listed in paragraph (b)(2) of this section are exempt from the following provisions of the Act and this part:

(i) 5 U.S.C. 552a(c)(3) and paragraph (c)(2) of § 5b.9 of this part which require a subject individual to be granted access to an accounting of disclosures of a record.

(ii) 5 U.S.C. 552a(d) (1) through (4) and (f) and §§ 5b.6, 5b.7, and 5b.8 of this part relating to notification of or access to records and correction or amendment of records.

(iii) 5 U.S.C. 552a(e)(4) (G) and (H) which require inclusion of information about Department procedures for notification, access, and correction or amendment of records in the notice for the systems of records.

(iv) 5 U.S.C. 552(e)(3) and paragraph (a)(3) of § 5b.4 of this part which require that an individual asked to provide a record to the Department be informed of the authority for providing the record (including whether the providing of the record is mandatory or voluntary, the principal purposes for maintaining the record, the routine uses for the record, and what effect his refusal to provide the record may have on him), and if the record is not required by statute or Executive Order to be provided by the individual, he agrees to provide the record. This exemption applies only to an investigatory record compiled by the Department for criminal law enforcement purposes in a system of records exempt under subsection (j)(2) of the Act to the extent that these requirements would prejudice the conduct of the investigation.

(2) The following systems of records are exempt from those provisions of the Act and this part listed in paragraph (b)(1) of this section.

(i) Pursuant to subsection (j)(2) of the Act:

The Investigatory Material Compiled for Law Enforcement Purposes System, ED.

(ii) Pursuant to subsection (k)(2) of the Act: Complaint Files and Log, Office for Civil Rights.

(iii) [Reserved]

(iv) Pursuant to subsection (k)(5) of the Act:

(A) The Investigatory Material Compiled for Security and Suitability Purposes System, ED; and.

(B) The Suitability for Employment Records, ED.

(c) *Notification of or access to records in exempt systems of records.* (1) Where a system of records is exempt as provided in paragraph (b) of this section, any individual may nonetheless request notification of or access to a record in that system. An individual shall make requests for notification of or access to a record in an exempt system of records in accordance with the procedures of §§ 5b.5 and 5b.6 of this part.

(2) An individual will be granted notification of or access to a record in an exempt system but only to the extent such notification or access would not reveal the identity of a source who furnished the record to the Department under an express promise, and prior to September 27, 1975 an implied promise, that his identity would be held in confidence, if:

(i) The record is in a system of records which is exempt under subsection (k)(2) of the Act and the individual has been, as a result of the maintenance of the record, denied a right, privilege, or benefit to which he would otherwise be eligible; or,

(ii) The record is in a system of records which is exempt under subsection (k)(5) of the Act.

(3) If an individual is not granted notification of or access to a record in a system of records exempt under subsections (k) (2) and (5) of the Act in accordance with this paragraph, he will be informed that the identity of a confidential source would be revealed if notification of or access to the record were granted to him.

(d) *Discretionary actions by the responsible Department official.* Unless disclosure of a record to the general public is otherwise prohibited by law, the responsible Department official may in his discretion grant notification of or access to a record in a system of records which is exempt under paragraph (b) of this section. Discretionary notification of or access to a record in accordance with this paragraph will not be a precedent for discretionary notification of or access to a similar or related record and will not obligate the responsible Department official to exercise his discretion to grant notification of or access to any other record in a system of records which is exempt under paragraph (b) of this section.

[45 FR 30808, May 9, 1980, as amended at 48 FR 38820, Aug. 26, 1983]

§ 5b.12 Contractors.

(a) All contracts entered into on or after September 27, 1975 which require a contractor to maintain or on behalf of the Department to maintain, a system of records to accomplish a Department function must contain a provision requiring the contractor to comply with the Act and this part.

(b) All unexpired contracts entered into prior to September 27, 1975 which require the contractor to maintain or on behalf of the Department to maintain, a system of records to accomplish a Department function will be amended as soon as practicable to include a provision requiring the contractor to comply with the Act and this part. All such contracts must be so amended by July 1, 1976 unless for good cause the appeal authority identified in § 5b.8 of this part authorizes the continuation of the contract without amendment beyond that date.

(c) A contractor and any employee of such contractor shall be considered employees of the Department only for the purposes of the criminal penalties of the Act, 5 U.S.C. 552a(i), and the employee standards of conduct listed in Appendix A of this part where the contract contains a provision requiring the contractor to comply with the Act and this part.

(d) This section does not apply to systems of records maintained by a contractor as a result of his management discretion, *e.g.*, the contractor's personnel records.

§ 5b.13 Fees.

(a) *Policy.* Where applicable, fees for copying records will be charged in accordance with the schedule set forth in this section. Fees may only be charged where an individual requests that a copy be made of the record to which he is granted access. No fee may be charged for making a search of the system of records whether the search is manual, mechanical, or electronic. Where a copy of the record must be made in order to provide access to the record (*e.g.*, computer printout where no screen reading is available), the copy will be made available to the individual without cost.

(b) *Fee schedule.* The fee schedule for the Department is as follows:

(1) Copying of records susceptible to photocopying—$.10 per page.

(2) Copying records not susceptible to photocopying (*e.g.*, punch cards or magnetic tapes)—at actual cost to be determined on a case-by-case basis.

(3) No charge will be made if the total amount of copying does not exceed $25.

Appendix A—Employee Standards of Conduct

(a) *General.* All employees are required to be aware of their responsibilities under the Privacy Act of 1974, 5 U.S.C. 552a. Regulations implementing the Act are set forth in 34 CFR 5b. Instruction on the requirements of the Act and regulation shall be provided to all new employees of the Department. In addition, supervisors shall be responsible for assuring that employees who are working with systems of records or who undertake new duties which require the use of systems of records are informed of their responsibilities. Supervisors shall also be responsible for assuring that all employees who work with such systems of records are periodically reminded of the requirements of the Act and are advised of any new provisions or interpretations of the Act.

(b) *Penalties.* (1) All employees must guard against improper disclosure of records which are governed by the Act. Because of the serious consequences of improper invasions of personal privacy, employees may be subject to disciplinary action and criminal prosecution for knowing and willful violations of the Act and regulation. In addition, employees may also be subject to disciplinary action for unknowing or unwillful violations, where the employee had notice of the provisions of the Act and regulations and failed to inform himself sufficiently or to conduct himself in accordance with the requirements to avoid violations.

(2) The Department may be subjected to civil liability for the following actions undertaken by its employees:

(a) Making a determination under the Act and §§ 5b.7 and 5b.8 of the regulation not to amend an individual's record in accordance with his request, or failing to make such review in conformity with those provisions;

(b) Refusing to comply with an individual's request for notification of or access to a record pertaining to him;

(c) Failing to maintain any record pertaining to any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such a record, and consequently a determination is made which is adverse to the individual; or

(d) Failing to comply with any other provision of the Act or any rule promulgated thereunder, in such a way as to have an adverse effect on an individual.

(3) "An employee may be personally subject to criminal liability as set forth below and in 5 U.S.C. 552a (i):

(a) Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by the Act or by rules or regulations established thereunder, and who, knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000."

(b) "Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements [of the Act] shall be guilty of a misdemeanor and fined not more than $5,000."

(c) *Rules Governing Employees Not Working With Systems of Records.* Employees whose duties do not involve working with systems of records will not generally disclose to any one, without specific authorization from their supervisors, records pertaining to employees or other individuals which by reason of their official duties are available to them. Notwithstanding the above, the following records concerning Federal employees are a matter of public record and no further authorization is necessary for disclosure:

(1) Name and title of individual.

(2) Grade classification or equivalent and annual rate of salary.

(3) Position description.

(4) Location of duty station, including room number and telephone number.

In addition, employees shall disclose records which are listed in the Department's Freedom of Information Regulation as being available to the public. Requests for other records will be referred to the responsible Department official. This does not preclude employees from discussing matters which are known to them personally, and without resort to a record, to official investigators of Federal agencies for official purposes such as suitability checks, Equal Employment Opportunity investigations, adverse action proceedings, grievance proceedings, etc.

(d) *Rules governing employees whose duties require use or reference to systems of records.* Employees whose official duties require that they refer to, maintain, service, or otherwise deal with systems of records (hereinafter referred to as "Systems Employees") are governed by the general provisions. In addition, extra precautions are required and systems employees are held to higher standards of conduct.

(1) Systems Employees shall:

(a) Be informed with respect to their responsibilities under the Act;

(b) Be alert to possible misuses of the system and report to their supervisors any potential or actual use of the system which they believe is not in compliance with the Act and regulation;

(c) Make a disclosure of records within the Department only to an employee who has a legitimate need to know the record in the course of his official duties;

(d) Maintain records as accurately as practicable.

(e) Consult with a supervisor prior to taking any action where they are in doubt whether such action is in conformance with the Act and regulation.

(2) Systems Employees shall not:

(a) Disclose in any form records from a system of records except (1) with the consent or at the request of the subject individual; or (2) where its disclosure is permitted under § 5b.9 of the regulation.

(b) Permit unauthorized individuals to be present in controlled areas. Any unauthorized individuals observed in controlled areas shall be reported to a supervisor or to the guard force.

(c) Knowingly or willfully take action which might subject the Department to civil liability.

(d) Make any arrangements for the design development, or operation of any system of records without making reasonable effort to provide that the system can be maintained in accordance with the Act and regulation.

(e) *Contracting officers.* In addition to any applicable provisions set forth above, those employees whose official duties involve entering into contracts on behalf of the Department shall also be governed by the following provisions:

(1) *Contracts for design, or development of systems and equipment.* No contract for the design or development of a system of records, or for equipment to store, service or maintain a system of records shall be entered into unless the contracting officer has made reasonable effort to ensure that the product to be purchased is capable of being used without violation of the Act or regulation. Special attention shall be given to provision of physical safeguards.

(2) *Contracts for the operation of systems and equipment.* No contract for the design or development of a system of whom he feels appropriate, of all proposed contracts providing for the operation of systems of records shall be made prior to execution of the contracts to determine whether operation of the system of records is for the purpose of accomplishing a Department function. If a determination is made that the operation of the system is to accomplish a Department function, the contracting officer shall be responsible for including in the contract appropriate provisions to apply the provisions of the Act and regulation to the system, including prohibitions against improper release by the contractor, his employees, agents, or subcontractors.

(3) *Other service contracts.* Contracting officers entering into general service contracts shall be responsible for determining the appropriateness of including provisions in the contract to prevent potential misuse (inadvertent or otherwise) by employees, agents, or subcontractors of the contractor.

(f) *Rules Governing Responsible Department Officials.* In addition to the requirements for Systems Employees, responsible Department officials shall:

(1) Respond to all requests for notification of or access, disclosure, or amendment of records in a timely fashion in accordance with the Act and regulation;

(2) Make any amendment of records accurately and in a timely fashion;

(3) Inform all persons whom the accounting records show have received copies of the record prior to the amendments of the correction; and

(4) Associate any statement of disagreement with the disputed record, and

(a) Transmit a copy of the statement to all persons whom the accounting records show have received a copy of the disputed record, and

(b) Transmit that statement with any future disclosure.

Appendix B—Routine Uses Applicable to More Than One System of Records Maintained by DE

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt

from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10) To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(11) Disclosures in the course of employee discipline or competence determination proceedings.

[45 FR 30808, May 9, 1980; 45 FR 37426, June 3, 1980]

34 CFR PART 99—FAMILY EDUCATIONAL RIGHTS AND PRIVACY

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Sec.

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Authority: Sec. 438, Pub. L. 90-247, Title IV, as amended, 88 Stat. 571–574 (20 U.S.C. 1232g), unless otherwise noted.

T4Source:53 FR 11943, Apr. 11, 1988. Corrected at 53 FR 19368, May 27, 1988.

Subpart A—General

§ 99.1 To which educational agencies or institutions do these regulations apply?

(a) This part applies to an educational agency or institution to which funds have been made available under any program administered by the Secretary of Education that—

(1)(i) Was transferred to the Department under the Department of Education Organization Act (DEOA); and

(ii) Was administered by the Commissioner of Education on the day before the effective date of the DEOA; or

(2) Was enacted after the effective date of the DEOA, unless the law enacting the new Federal program has the effect of making section 438 of the General Education Provisions Act inapplicable.

(Authority: 20 U.S.C. 1230, 1232g, 3487, 3507)

(b) The following chart lists the funded programs to which Part 99 does not apply as of April 11, 1988:

Name of program	Authorizing statute	Implementing regulations
1. High School Equivalency Program and College Assistance Migrant Program.	Section 418A of the Higher Education Act of 1965 as amended by the Education Amendments of 1980 (Pub. L. 96-374) 20 U.S.C. 1070d-2).	Part 206.
2. Programs administered by the Commissioner of the Rehabilitation Services Administration, and the Director of the National Institute on Disability and Rehabilitation Research.	The Rehabilitation Act of 1973, as amended. (29 U.S.C. 700, *et seq.*).	Parts 350–359, 361, 365, 366, 369–371, 373–375, 378, 379, 385–390, and 395.
3. Transition program for refugee children	Immigration and Nationality Act, as amended by the Refugee Act of 1980, Pub. L. 96-212 (8 U.S.C. 1522(d)).	Part 538.
4. College Housing	Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749, *et seq.*).	Part 614.
5. The following programs administered by the Assistant Secretary for Educational Research and Improvement: Educational Research Grant Program. Regional Educational Laboratories Research and Development Centers. All other research or statistical activities funded under Section 405 or 406 of the General Education Provisions Act..	Section 405 of the General Education Provisions Act (20 U.S.C. 1221e), and section 406 of the General Education Provisions Act (20 U.S.C. 1221-1).	Parts 700, 706–708.

Note: The Secretary, as appropriate, updates the information in this chart and informs the public.

(c) This part does not apply to an educational agency or institution solely because students attending that agency or institution receive non-monetary benefits under a program referenced in paragraph (a) of this section, if no funds under that program are made available to the agency or institution.

(d) The Secretary considers funds to be made available to an educational agency or institution of funds under one or more of the programs referenced in paragraph (a) of this section—

(1) Are provided to the agency or institution by grant, cooperative

agreement, contract, subgrant, or subcontract; or

(2) Are provided to students attending the agency or institution and the funds may be paid to the agency or institution by those students for educational purposes, such as under the Pell Grant Program and the Guaranteed Student Loan Program (Titles IV-A-1 and IV-B, respectively, of the Higher Education Act of 1965, as amended).

(e) If an educational agency or institution receives funds under one or more of the programs covered by this section, the regulations in this part apply to the recipient as a whole, including each of its components (such as a department within a university).

(Authority: 20 U.S.C. 1232g)

§ 99.2 What is the purpose of these regulations?

The purpose of this part is to set out requirements for the protection of privacy of parents and students under section 438 of the General Education Provisions Act, as amended.

(Authority: 20 U.S.C. 1232g)

(**Note:** 34 CFR 300.560–300.576 contain requirements regarding confidentiality of information relating to handicapped children who receive benefits under the Education of the Handicapped Act.)

§ 99.3 What definitions apply to these regulations?

The following definitions apply to this part:

"Act" means the Family Educational Rights and Privacy Act of 1974, as amended, enacted as section 438 of the General Education Provisions Act.

(Authority: 20 U.S.C. 1232g)

"Attendance" includes, but is not limited to—

(a) Attendance in person or by correspondence; and

(b) The period during which a person is working under a work-study program.

(Authority: 20 U.S.C. 1232g)

"Directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

(Authority: 20 U.S.C. 1232g(a)(5)(A))

"Disclosure" means to permit access to or the release, transfer, or other communication of education records, or the personally indentifiable information contained in those records, to any party, by any means, including oral, written, or electronic means.

(Authority: 20 U.S.C. 1232g(b)(1))

"Educational agency or institution" means any public or private agency or institution to which this part applies under § 99.1(a).

(Authority: 20 U.S.C. 1232g(a)(3))

"Education records" (a) The term means those records that are—

(1) Directly related to a student; and

(2) Maintained by an educational agency or institution or by a party acting for the agency or institution.

(b) The term does not include—

(1) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

(2) Records of a law enforcement unit of an educational agency or institution, but only if education records maintained by the agency or institution are not disclosed to the unit, and the law enforcement records are—

(i) Maintained separately from education records;

(ii) Maintained solely for law enforcement purposes; and

(iii) Disclosed only to law enforcement officials of the same jurisdiction;

(3)(i) Records relating to an individual who is employed by an educational agency or institution, that—

(A) Are made and maintained in the normal course of business;

(B) Relate exclusively to the individual in that individual's capacity as an employee; and

(C) Are not available for use for any other purpose.

(ii) Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under paragraph (b)(3)(i) of this definition.

(4) Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are—

(i) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;

(ii) Made, maintained, or used only in connection with treatment of the student; and

(iii) Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution; and

(5) Records that only contain information about an individual after he or she is no longer a student at that agency or institution.

(Authority: 20 U.S.C. 1232g(a)(4))

"Eligible student" means a student who has reached 18 years of age or is attending an institution of postsecondary education.

(Authority: 20 U.S.C. 1232g(d))

"Institution of postsecondary education" means an institution that provides education to students beyond the secondary school level; "secondary school level" means the educational level (not beyond grade 12) at which secondary education is provided as determined under State law.

(Authority: 20 U.S.C. 1232g(d))

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

(Authority: 20 U.S.C. 1232g)

"Party" means an individual, agency, institution, or organization.

(Authority: 20 U.S.C. 1232g(b)(4)(A))

"Personally identifiable information" includes, but is not limited to—

(a) The student's name;

(b) The name of the student's parent or other family member;

(c) The address of the student or student's family;

(d) A personal identifier, such as the student's social security number or student number;

(e) A list of personal characteristics that would make the student's identity easily traceable; or

(f) Other information that would make the student's identity easily traceable.

(Authority: 20 U.S.C. 1232g)

"Record" means any information recorded in any way, including, but not limited to, handwriting, print, tape, film, microfilm, and microfiche.

(Authority: 20 U.S.C. 1232g)

"Secretary" means the Secretary of the U.S. Department of Education or an official or employee of the Department of Education acting for the Secretary under a delegation of authority.

(Authority: 20 U.S.C. 1232g)

"Student", except as otherwise specifically provided in this part, means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.

(Authority: 20 U.S.C. 1232g(a)(6))

§ 99.4 What are the rights of parents?

An educational agency or institution shall give full rights under the Act to either parent, unless the agency or institution has been provided with evidence that there is a court order, State statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

(Authority: 20 U.S.C. 1232g)

§ 99.5 What are the rights of eligible students?

(a) When a student becomes an eligible student, the rights accorded to, and consent required of, parents under this part transfer from the parents to the student.

(b) The Act and this part do not prevent educational agencies or institutions from giving students rights in addition to those given to parents.

(c) If an individual is or has been in attendance at one component of an educational agency or institution, that attendance does not give the individual rights as a student in other components of the agency or institution to which the individual has applied for admission, but has never been in attendance.

(Authority: 20 U.S.C. 1232g(d))

§ 99.6 What information must an educational agency's or institution's policy contain?

(a) Each educational agency or institution shall adopt a policy regarding how the agency or institution meets the requirements of the Act and of this part. The policy must include—

(1) How the agency or institution informs parents and students of their rights, in accord with § 99.7;

(2) How a parent or eligible student may inspect and review education records under § 99.10, including at least—

(i) The procedure the parent or eligible student must follow to inspect and review the records;

(ii) With an understanding that it may not deny access to education records, a description of the circumstances in which the agency or institution believes it has a legitimate cause to deny a request for a copy of those records;

(iii) A schedule of fees (if any) to be charged for copies; and

(iv) A list of the types and locations of education records maintained by the agency or institution, and the titles and addresses of the officials responsible for the records;

(3) A statement that personally identifiable information will not be released from an education record without the prior written consent of the parent or eligible student, except under one or more of the conditions described in § 99.31;

(4) A statement indicating whether the educational agency or institution has a policy of disclosing personally identifiable information under § 99.31(a)(1), and, if so, a specification of the criteria for determining which parties are school officials and what the agency or institution considers to be a legitimate educational interest;

(5) A statement that a record of disclosures will be maintained as required by § 99.32, and that a parent or eligible student may inspect and review that record;

(6) A specification of the types of personally identifiable information the agency or institution has designated as directory information under § 99.37; and

(7) A statement that the agency or institution permits a parent or eligible student to request correction of the student's education records under § 99.20, to obtain a hearing under § 99.21(a), and to add a statement to the record under § 99.21(b)(2).

(b) The educational agency or institution shall state the policy in writing and make a copy of it available on request to a parent or eligible student.

(Authority: 20 U.S.C. 1232g(e) and (f))

(Approved by the Office of Management and Budget under control number 1880–0508)

§ 99.7 What must an educational agency or institution include in its annual notification?

(a) Each educational agency or institution shall annually notify parents of students currently in attendance, and eligible students currently in attendance, at the agency or institution of their rights under the Act and this part. The notice must include a statement that the parent or eligible student has a right to—

(1) Inspect and review the student's education records;

(2) Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;

(3) Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and the regulations in this part authorize disclosure without consent;

(4) File with the U.S. Department of Education a complaint under § 99.64 concerning alleged failures by the agency or institution to comply with the requirements of the act and this part; and

(5) Obtain a copy of the policy adopted under § 99.6.

(b) The notice provided under paragraph (a) of this section must also indicate the places where copies of the policy adopted under § 99.6 are located.

(c) An educational agency or institution may provide this notice by any means that are reasonably likely to inform the parents and eligible students of their rights.

(d) An agency or institution of elementary or secondary education shall effectively notify parents of students who have a primary or home language other than English.

(Authority: 20 U.S.C. 1232g(e))

(Approved by the Office of Management and Budget under control number 1880–0508)

Subpart B—What are the Rights of Inspection and Review of Education Records?

§ 99.10 What rights exist for a parent or eligible student to inspect and review education records?

(a) Except as limited under § 99.12, each educational agency or institution shall permit a parent or eligible student to inspect and review the education records of the student.

(b) The educational agency or institution shall comply with a request for access to records within a reasonable period of time, but in no case more than 45 days after it has received the request.

(c) The educational agency or institution shall respond to reasonable requests for explanations and interpretations of the records.

(d) The educational agency or institution shall give the parent or eligible student a copy of the records if failure to do so would effectively prevent the parent or student from exercising the right to inspect and review the records.

(e) The educational agency or institution shall not destroy any education records if there is an outstanding request to inspect and review the records under this section.

(f) While an education agency or institution is not required to give an eligible student access to treatment records under paragraph (b)(4) of the definition of "Education records" in § 99.3, the student may have those records reviewed by a physician or other appropriate professional of the student's choice.

(Authority: 20 U.S.C. 1232g(a)(1)(A))

§ 99.11 May an educational agency or institution charge a fee for copies of education records?

(a) Unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's education records, an educational agency or institution may charge a fee for a copy of an education record which is made for the parent or eligible student.

(b) An educational agency or institution may not charge a fee to search for or to retrieve the education records of a student.

(Authority: 20 U.S.C. 1232g(a)(1))

§ 99.12 What limitations exist on the right to inspect and review records?

(a) If the education records of a student contain information on more than one student, the parent or eligible student may inspect, review, or be informed of only the specific information about that student.

(b) A postsecondary institution does not have to permit a student to inspect and review education records that are—

(1) Financial records, including any information those records contain, of his or her parents;

(2) Confidential letters and confidential statements of recommendation placed in the education records of the student before January 1, 1975, as long as the statements are used only for the purposes for which they were specifically intended; and

(3) Confidential letters and confidential statements of recommendation placed in the student's education records after January 1, 1975, if—

(i) The student has waived his or her right to inspect and review those letters and statements, and

(ii) Those letters and statements are related to the student's—

(A) Admission to an educational institution;

(B) Application for employment; or

(C) Receipt of an honor or honorary recognition.

(c)(1) A waiver under paragraph (b)(3)(i) of this section is valid only if—

(i) The educational agency or institution does not require the waiver as a condition for admission to or receipt of a service or benefit from the agency or institution; and

(ii) The waiver is made in writing and signed by the student, regardless of age.

(2) If a student has waived his or her rights under paragraph (b)(3)(i) of this section, the educational institution shall—

(i) Give the student, on request, the names of the individuals who provided the letters and statements of recommendation; and

(ii) Use the letters and statements of recommendation only for the purpose for which they were intended.

(3)(i) A waiver under paragraph (b)(3)(i) of this section may be revoked with respect to any actions occurring after the revocation.

(ii) A revocation under paragraph (c)(3)(i) of this section must be in writing.

(Authority: 20 U.S.C. 1232g(a)(1) (A) and (B))

Subpart C—What are the Procedures for Amending Education Records?

§ 99.20 How can a parent or eligible student request amendment of the student's education records?

(a) If a parent or eligible student believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, he or she may ask the educational agency or institution to amend the record.

(b) The educational agency or institution shall decide whether to amend the record as requested within a reasonable time after the agency or institution receives the request.

(c) if the educational agency or institution decides not to amend the record as requested, it shall inform the parent or eligible student of its decision and of his or her right to a hearing under § 99.21.

(Authority: 20 U.S.C. 1232g(a)(2))

§ 99.21 Under what conditions does a parent or eligible student have the right to a hearing?

(a) An educational agency or institution shall give a parent or eligible student, on request, an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy or other rights of the student.

(b)(1) If, as a result of the hearing, the educational agency or institution decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall—

(i) Amend the record accordingly; and

(ii) Inform the parent or eligible student of the amendment in writing.

(2) If, as a result of the hearing, the educational agency or institution decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the agency or institution, or both.

(c) If an educational agency or institution places a statement in the education records of a student under paragraph (b)(2) of this section, the agency or institution shall—

(1) Maintain the statement with the contested part of the record for as long as the record is maintained; and

(2) Disclose the statement whenever it discloses the portion of the record to which the statement relates.

(Authority: 20 U.S.C. 1232g(a)(2))

§ 99.22 What minimum requirements exist for the conduct of a hearing?

The hearing required by § 99.21 must meet, at a minimum, the following requirements:

(a) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.

(b) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.

(c) The hearing may be conducted by any individual, including an official of the educational agency or institution, who does not have a direct interest in the outcome of the hearing.

(d) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised under § 99.21. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

(e) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.

(f) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

(Authority: 20 U.S.C. 1232g(a)(2))

Subpart D—May an Educational Agency or Institution Disclose Personally Identifiable Information From Education Records?

§ 99.30 Under what conditions must an educational agency or institution obtain prior consent to disclose information?

(a) Except as provided in § 99.31, an educational agency or institution shall obtain a signed and dated written consent of a parent or an eligible student before it discloses pesonally identifiable information from the student's education records.

(b) The written consent must—

(1) Specify the records that may be disclosed;

(2) State the purpose of the disclosure; and

(3) Identify the party or class of parties to whom the disclosure may be made.

(c) When a disclosure is made under paragraph (a) of this section—

(1) If a parent or eligible student so requests, the educational agency or institution shall provide him or her with a copy of the records disclosed; and

(2) If the parent of a student who is not an eligible student so requests, the agency or institution shall provided the student with a copy of the records disclosed.

(Authority: 20 U.S.C. 1232g (b)(1) and (b)(2)(A))

§ 99.31 Under what conditions is prior consent not required to disclose information?

(a) An educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required by § 99.30 if the disclosure meets one or more of the following conditions:

(1) The disclosure is to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests.

(2) The disclosure is, subject to the requirements of § 99.34, to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll.

(3) The disclosure is, subject to the requirements of § 99.35, to authorize representatives of—

(i) The Comptroller General of the United States;

(ii) The Secretary; or

(iii) State and local educational authorities.

(4)(i) The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to—

(A) Determine eligibility for the aid;

(B) Determine the amount of the aid;

(C) Determine the conditions for the aid; or

(D) Enforce the terms and conditions of the aid.

(ii) As used in paragraph (a)(4)(i) of this section, "financial aid" means a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at an educational agency or institution.

(Authority: 20 U.S.C. 1232g(b)(1)(D))

(5)(i) The disclosure is to State and local officials or authorities, if a State statute adopted before November 19, 1974, specifically requires disclosures to those officials and authorities.

(ii) Paragraph (a)(5)(i) of this section does not prevent a State from further limiting the number of type or State or local officials to whom disclosures may be made under that paragraph.

(6)(i) The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to—

(A) Develop, validate, or administer predictive tests;

(B) Administer student aid programs; or

(C) Improve instruction.

(ii) The agency or institution may disclose information under paragraph (a)(6)(i) of this section only if—

(A) The study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization; and

(B) The information is destroyed when no longer needed for the purposes for which the study was conducted.

(iii) For the purposes of paragraph (a)(6) of this section, the term "organization" includes, but is not limited to, Federal, State, and local agencies, and independent organizations.

(7) The disclosure is to accrediting organizations to carry out their accrediting functions.

(8) The disclosure is to parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.

(9)(i) The disclosure is to comply with a judicial order or lawfully issued subpoena.

(ii) The educational agency or institution may disclose information under paragraph (a)(9)(i) of this section only if the agency or institution makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.

(10) The disclosure is in connection with a health or safety emergency, under the conditions described in § 99.36.

(11) The disclosure is information the educational agency or institution has designated as "directory information", under the conditions described in § 99.37.

(12) The disclosure is to the parent of a student who is not an eligible student or to the student.

(b) This section does not forbid or require an educational agency or institution to disclose personally identifiable information from the education records of a student to any parties under paragraphs (a) (1) through (11) of this section.

(Authority: 20 U.S.C. 1232g (a)(5)(A), (b)(1) and (b)(2)(B))

§ 99.32 What recordkeeping requirements exist concerning requests and disclosures?

(a)(1) An educational agency or institution shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student.

(2) The agency or institution shall maintain the record with the education records of the student as long as the records are maintained.

(3) For each request or disclosure the record must include—

(i) The parties who have requested or received personally identifiable information from the education records; and

(ii) The legitimate interests the parties had in requesting or obtaining the information.

(b) If an educational agency or institution discloses personally identifiable information from an education record with the understanding authorized under § 99.33(b), the record of the disclosure required under this section must include—

(1) The names of the additional parties to which the receiving party may disclose the information on behalf of the educational agency or institution; and

(2) The legitimate interests under § 99.31 which each of the additional parties has in requesting or obtaining the information.

(c) The following parties may inspect the record relating to each student:

(1) The parent or eligible student.

(2) The school official or his or her assistants who are responsible for the custody of the records.

(3) Those parties authorized in § 99.31(a) (1) and (3) for the purposes of auditing the recordkeeping procedures of the educational agency or institution.

(d) Paragraph (a) of this section does not apply if the request was from, or the disclosure was to—

(1) The parent or eligible student;

(2) A school official under § 99.31(a)(1);

(3) A party with written consent from the parent or eligible student; or

(4) A party seeking directory information.

(Authority: 20 U.S.C. 1232g(b)(4)(A))

(Approved by the Office of Management and Budget under control number 1880–0508)

§ 99.33 What limitations apply to the redisclosure of information?

(a)(1) An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student.

(2) The officers, employees, and agents of a party that receives information under paragraph (a)(1) of this section may use the information, but only for the purposes for which the disclosure was made.

(b) Paragraph (a) of this section does not prevent an educational agency or institution from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the educational agency or institution if—

(1) The disclosures meet the requirements of § 99.31; and

(2) The educational agency or institution has complied with the requirements of § 99.32(b).

(c) Paragraph (a) of this section does not apply to disclosures of directory information under § 99.31(a)(11) or to disclosures to a parent or student under § 99.31(a)(12).

(d) Except for disclosures under § 99.31(a) (11) and (12), an educational agency or institution shall inform a party to whom disclosure is made of the requirements of this section.

(Authority: 20 U.S.C. 1232g(b)(4)(B))

§ 99.34 What conditions apply to disclosure of information to other educational agencies or institutions?

(a) An educational agency or institution that discloses an education record under § 99.31(a)(2) shall—

(1) Make a reasonable attempt to notify the parent or eligible student at the last known address of the parent or eligible student, unless—

(i) The disclosure is initiated by the parent or eligible student; or

(ii) The policy of the agency or institution under § 99.6 includes a notice that the agency or institution forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll;

(2) Give the parent or eligible student, upon request, a copy of the record that was disclosed; and

(3) Give the parent or eligible student, upon request, an opportunity for a hearing under Subpart C.

(b) An educational agency or institution may disclose an education record of a student in attendance to another educational agency or institution if—

(1) The student is enrolled in or receives services from the other agency or institution; and

(2) The disclosure meets the requirements of paragraph (a) of this section.

(Authority: 20 U.S.C. 1232g(b)(1)(B))

§ 99.35 What conditions apply to disclosure of information for Federal or State program purposes?

(a) The officials listed in § 99.31(a)(3) may have access to education records in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements which relate to those programs.

(b) Information that is collected under paragraph (a) of this section must—

(1) Be protected in a manner that does not permit personal identification of individuals by anyone except the officials referred to in paragraph (a) of this section; and

(2) Be destroyed when no longer needed for the purposes listed in paragraph (a) of this section.

(c) Paragraph (b) of this section does not apply if—

(1) The parent or eligible student has given written consent for the disclosure under § 99.30; or

(2) The collection of personally identifiable information is specifically authorized by Federal law.

(Authority: 20 U.S.C. 1232g(b)(3))

§ 99.36 What conditions apply to disclosure of information in health and safety emergencies?

(a) An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

(b) Paragraph (a) of this section shall be strictly construed.

(Authority: 20 U.S.C. 1232g(b)(1)(I))

§ 99.37 What conditions apply to disclosing directory information?

(a) An educational agency or institution may disclose directory information if it has given public notice to parents of students in attendance and eligible students in attendance at the agency or institution of—

(1) The types of personally identifiable information that the agency or institution has designated as directory information;

(2) A parent's or eligible student's right to refuse to let the agency or institution designate any or all of those types of information about the student as directory information; and

(3) The period of time within which a parent or eligible student has to notify the agency or institution in writing that he or she does not want any or all of those types of information about the student designated as directory information.

(b) An educational agency or institution may disclose directory information about former students without meeting the conditions in paragraph (a) of this section.

(Authority: 20 U.S.C. 1232g(a)(5) (A) and (B))

Subpart E—What are the Enforcement Procedures?

§ 99.60 What functions has the Secretary delegated to the Office and to the Education Appeal Board?

(a) For the purposes of this subpart, "Office" means the Family Policy and Regulations Office, U.S. Department of Education.

(b) The Secretary designates the Office to—

(1) Investigate, process, and review complaints and violations under the Act and this part; and

(2) Provide technical assistance to ensure compliance with the Act and this part.

(c) The Secretary designates the Education Appeal Board to act as the Review Board required under the Act.

(Authority: 20 U.S.C. 1232g (f) and (g), 1234)

§ 99.61 What responsibility does an educational agency or institution have concerning conflict with State or local laws?

If an educational agency or institution determines that it cannot comply with the Act or this part due to a conflict with

State or local law, it shall notify the Office within 45 days, giving the text and citation of the conflicting law.

(Authority: 20 U.S.C. 1232g(f))

§ 99.62 What information must an educational agency or institution submit to the Office?

The Office may require an educational agency or institution to submit reports containing information necessary to resolve complaints under the Act and the regulations in this part.

(Authority: 20 U.S.C. 1232g (f) and (g))

§ 99.63 Where are complaints filed?

A person may file a written complaint with the Office regarding an alleged violation under the Act and this part. The Office's address is: Family Policy and Regulations Office, U.S. Department of Education, Washington, DC 20202.

(Authority: 20 U.S.C. 1232g(g))

§ 99.64 What is the complaint procedure?

(a) A complaint filed under § 99.63 must contain specific allegations of fact giving reasonable cause to believe that a violation of the Act or this part has occurred.

(b) The Office investigates each timely complaint to determine whether the educational agency or institution has failed to comply with the provisions of the Act or this part.

(Authority: 20 U.S.C. 1232g(f))

§ 99.65 What is the content of the notice of complaint issued by the Office?

(a) If the Office receives a complaint, it notifies the complainant and the educational agency or institution against which the violation has been alleged, in writing, that the complaint has been received.

(b) The notice to the agency or institution under paragraph (a) of this section—

(1) Includes the substance of the alleged violation; and

(2) Informs the agency or institution that the Office will investigate the complaint and that the educational agency or institution may submit a written response to the complaint.

(Authority: 20 U.S.C. 1232g(g))

§ 99.66 What are the responsibilities of the Office in the enforcement process?

(a) The Office reviews the complaint and response and may permit the parties to submit further written or oral arguments or information.

(b) Following its investigation, the Office provides to the complainant and the educational agency or institution written notice of its findings and the basis for its findings.

(c) If the Office finds that the educational agency or institution has not complied with the Act or this part, the notice under paragraph (b) of this section—

(1) Includes a statement of the specific steps that the agency or institution must take to comply; and

(2) Provides a reasonable period of time, given all of the circumstances of the case, during which the educational agency or institution may comply voluntarily.

(Authority: 20 U.S.C. 1232g(f))

§ 99.67 How does the Secretary enforce decisions?

(a) If the eductional agency or institution does not comply during the period of time set under § 99.66(c), the Secretary may take an action authorized under 34 CFR Part 78, including—

(1) Issuing a notice of intent to terminate funds under 34 CFR 78.21;

(2) Issuing a notice to withhold funds under 34 CFR 78.21, 200.94(b) or 298.45(b), depending upon the applicable program under which the notice is issued; or

(3) Issuing a notice to cease and desist under 34 CFR 78.31, 200.94(c) or 298.45(c), depending upon the program under which the notice is issued.

(b) If, after an investigation under § 99.66, the Secretary finds that an educational agency or institution has complied voluntarily with the Act or this part, the Secretary provides the complainant and the agency or institution written notice of the decision and the basis for the decision.

(**Note:** 34 CFR Part 78 contains the regulations of the Education Appeal Board.)

(Authority: 20 U.S.C. 1232g(g))

DEPARTMENT OF ENERGY

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DOE-1

System name:

DOE Personnel and General Employment Records (this system of records supplements the General Personnel Records System of the Office of Personnel Management).

Security classification:

Unclassified.

System location:

The records are maintained at the personnel office in each DOE location as listed in Appendix A.

Categories of individuals covered by the system:

Current and former employees, consultants, board members, and applicants (only to the extent they are considered for competitive selection), specifically including all such personnel of the Federal Energy Regulatory Commission.

Categories of records in the system:

Name, social security number, sex, grade level, occupational code, Official Personnel Folders (SF-66), Service Record Cards (SF-7), records on suggestions and awards, training request and authorization data, training course evaluation statements, appraisals resulting from annual supervisor-employee review, pay requests and dispositions, reduction in-force registers (including associated records of competitive levels and competitive areas), reemployment and repromotion priority lists, retirement-associated eligibility and calculations, records on competitive selections (Form 178, Standard Form 39, and supporting documents), central copy of approved position descriptions, correspondence related to and copies of employee appeals, grievances, and complaints, including records of hearing's or examiner's reports, lists of separated employees, correspondence from employees requesting transfer or reassignment, average grade data, minority group code, data related to and derived from the Payroll/Personnel System (PAY/PERS) and Energy Manpower and Personnel Reporting Information System (EMPRIS).

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 5 U.S.C. 2102 et seq.; Executive Order 12009; Office of Personnel Management regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer printouts, punched cards, magnetic tape and disk, and microfilm.

Retrievability:

By name and social security number.

Safeguards:

Records are maintained in locked file cabinets in controlled access rooms. Computerized records are maintained in the DOE computer center with access limited to those with a need-to-know.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of personnel in the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Act Activities, Department of Energy (Headquarters), or the Privacy Acts Officer identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, and, if appropriate, the geographic location(s) and organization(s) where requester believes such record may be located, social security number, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, supervisors, other Government agencies, former employers, and references provided by subject individual.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsection (c)(3), (d), (e)(1), (e)(4), (G), (H), (I) and (f) of 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k)(2)(5), or (6).

DOE-2

System name:

DOE Personnel: Supervisor-Maintained Personnel Records.

Security classification:

Unclassified.

System location:

The records are maintained at all DOE offices, by employees' respective supervisors.

Categories of individuals covered by the system:

Current DOE employees; in a few cases, records include former employees, assigned military personnel, or applicants for employment.

Categories of records in the system:

The contents vary from office to office, but include all or some of the following: Copies and summaries of employment history, job description, education, address, next of kin, telephone number, date of birth, awards and commendations received, participation in professional or community activities, training, earnings and leave data, travel actions, certification or qualification examinations, injury reports, appraisals, copy of ADP-produced Form 702, copy of Form 50, assignment records, security infraction notices, records of supervisor-employee discussions, reprimands, admonitions, adverse actions, contingency planning data, security clearance status, and Government property in employee's possession.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer printout, punched cards, magnetic tape, disk, paper, and microfiche.

Retrievability:

By name.

Safeguards:

Records are usually maintained in files under the control of supervisory officials.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of personnel in the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The great majority of the data comes directly from the individuals or cognizant supervisory officials; other data comes from copies of personnel action documents.

Systems exempted from certain provisions of the act:

None.

DOE-3

System name:

DOE Personnel: Appraisal and Development Records.

Security classification:

Unclassified.

System location:

The records are maintained at the personnel office in each DOE location as listed in Appendix A.

Categories of individuals covered by the system:

All DOE employees.

Categories of records in the system:

Supervisor-employee appraisal (by name of employee), of performance, and preparation of development plans; and, for employees GS-15 and above, an appraisal of managerial potential for the agency Executive Development Program.

Authority for maintenance of the system: 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

On paper ERDA Forms 622, 622A, 622B, 622C, with some older records on Form 625; computer printouts; punched cards; magnetic tape; disk; other paper; and microfiche.

Retrievability:

By name.

Safeguards:

Records are usually maintained in lockable file cabinets under the control of supervisory personnel.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of personnel in the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Supervisors and employees.

Systems exempted from certain provisions of the act: None.

DOE-4

System name:

Applications for DOE Employment.

Security classification:

Unclassified.

System location:

The records are maintained at the personnel office in each DOE location as listed in Appendix A.

Categories of individuals covered by the system:

Individuals applying for, or inquiring about, employment with DOE and the Federal Energy Regulatory Commission.

Categories of records in the system:

Letters of inquiry, application supply file (Standard Form 171, "Personal Qualifications Statement"; general applications; resumes of personal data, education, work experience, military, and employment history statements); personnel evaluation forms; completed reference check letters and record check forms; interview summary sheets; candidate ratings performed by DOE; authorization of payment of travel expenses; correspondence related to recruitment, application, and employment; test records and academic transcripts (as appropriate); referrals for consideration; medical records; certification of performance ability and medical reports concerning candidates under selective placement programs, such as handicapped persons, offenders, and Vietnam veterans; and other documents related to application and employment.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Key operating officials and supervisors (including military personnel assigned to DOE or directly associated with the naval or military application functions of DOE): Referrals of applicants; evaluation of qualifications and selection of candidates under consideration for employment; or in other activities directly concerned with their official responsibilities.

Colleges and universities participating in the DOE recruiting program: Performance of regular practices in placement of students and in receiving information concerning evaluation or selection of their graduates.

Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer printouts, punched cards, magnetic tape, disk, paper, and microfiche.

Retrievability:

By name, occupational category, date, register number; in college recruitment files, retrievable by educational institution's name.

Safeguards:

Physical security varies with records maintained either in a locked and guarded building or in locked file cabinets. In either case, access is limited on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of personnel in the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Full name, social security number, date of birth, occupational category and location at which application or other material was submitted; in case of college recruitment material, applicable college or university name, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Individuals seeking, or referred for, employment; personal references provided by individuals; personnel administrators, officials, assistants, and other staff; interviewers; current and former employers, teachers, supervisors, and other Government agencies; Congressmen, testing officials, State Employment Service; and educational institutions.

Systems exempted from certain provisions of the act:

None.

DOE-5

System name:

Personnel Records of Former Contractor Employees.

Security classification:

Unclassified.

System location:

The locations listed in Appendix A of 47 FR 14284, dated April 2, 1982.

Categories of individuals covered by the system:

Former contractor employees.

Categories of records in the system:

Name, employment history, earnings, medical history, and other related information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine uses of records include employment history verification, radiation exposure records for medical and litigation purposes, and issuance of clearances.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiological study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act. Additional routines uses listed in Appendix B of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in locked or guarded buildings.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-52, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585.

Field Offices: The managers and directors of personnel in the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Chief, Freedom of Information and Privacy Acts, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 11, 12, and 14 through 18 in Appendix A of 47 FR 14284, dated April 2, 1982, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual's employer.

Systems exempted from certain provisions of the act:

None.

DOE-6

System name:

Report of Consultants to DOE Contractors.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 9, 11, 12, and 15 through 19 in Appendix A.

Categories of individuals covered by the system:

Individual consultants to DOE contractors.

Categories of records in the system:

Name, social security number, budget and reporting classification number, former employer, speciality, services category, specific services provided, contract duration, employer, rate, days worked, total direct compensation, and total contract cost.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data is used by Headquarters and field offices in the review of consultant agreements and in determining the extent to which DOE policy is being complied with by contractor employees who are also consultants. The information is also used as a source for identifying individuals possessing special skills relevant to energy concerns. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer magnetic tape.

Retrievability:

By name, social security number, area of specialization, DOE field office, DOE contractor, and budget and reporting classification number.

Safeguards:

Records are maintained in locked file cabinets in secured and guarded buildings with access on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-70, 1000 Independence Avenue, SW, Washington, DC 20585.

Field Offices: The officials responsible for industrial relations at the location where the systems are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 2, 6, 8, 11, and 13 through 18 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Reports from individuals, contractors, and Dun and Bradstreet.

Systems exempted from certain provisions of the act:

None.

DOE-7

System name:

Applications and Reference Checks for Overseas Employment with the International Atomic Energy Agency (IAEA).

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Office of Personnel, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

United States citizens interested in employment with International Atomic Energy Agency, Vienna, Austria.

Categories of records in the system:

Education, employment history, salary, and personal reference checks.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

United States Mission to IAEA, Vienna and other governmental agencies interested in foreign programs: Evaluation prior to offers of employment. Additional routine use listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name, specialty, and IAEA organizational designation.

Safeguards:

Records are maintained in locked file cabinets, with access limited to personnel of the Office of Personnel and the Office of International Affairs.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 13234.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Individuals seeking employment, references, and information provided by knowledgeable agency personnel.

Systems exempted from certain provisions of the act: None.

DOE-8

System name:

Intergovernmental Personnel Act (IPA) Contracts.

Security classification: Unclassified.

System location:

The locations listed as items 1 through 12, 15 through 17, and 19 through 21 in Appendix A.

Categories of individuals covered by the system:

Individuals who are now or have been under IPA contract to DOE.

Categories of records in the system:

Name, address, social security number, telephone number, salary, and related correspondence.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal of data to State and local governments or institutions of higher education to implement IPA contracts. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal:

Records are retained for 5 years and then destroyed.

System manager(s) and address:

U.S. Department of Energy, Director, Office of Personnel, MA-10, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The directors of personnel for the locations where the records are maintained are designated the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in items 1 through 12 and 14 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, social security number, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, State or local governments, and institutions of higher education.

Systems exempted from certain provisions of the act: None.

DOE-9

System name:

Members of DOE Advisory Committees.

Security classification: Unclassified.

System location:

U.S. Department of Energy, Office of Organization and Management Systems, Chief of Advisory Committee Management, MA-243, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

All individuals who are members of of a DOE Advisory Committee.

Categories of records in the system:

Name, biographical information, home address and telephone number, work address and telephone number, type of business or organizational affiliation, present position with business or other organization, number of years in present position, other related experience, congressional district, and photographs.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Federal Advisory Committee Act, 5 U.S.C. Appendix 1, Executive Order 2009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The name and mailing address of any Advisory Committtee member is provided to anyone requesting it. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in a locked room, with access limited to those whose official duties require access.

Retention and disposal:

Records are retained in a binder while the individual is a member of a committee. Upon a member's termination, records are destroyed or returned to individual.

System manager(s) and address:

U.S. Department of Energy, Director, Office of Organization and Management Systems, MA-20, 1000 Independence Avenue, SW., Washington, DC 20585.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, members of Congress, and public interest groups.

Systems exempted from certain provisions of the act:

None.

DOE-10

System name:

Office of General Counsel Time and Accountability Reports.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Office of General Counsel, GC-41, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

All Office of General Counsel employees in Headquarters or the field counsel offices.

Categories of records in the system:

Personnel data including name, grade, salary, social security number, duplicates of personnel action data maintained by DOE personnel office.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

This system is used to conduct analyses and evaluations of Office of General Counsel activities, including personnel, financial management, and budget activities. Records in this system are used only by Office of General Counsel management on a need-to-know basis.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name, reporting period, office location code, grade, salary, and promotion date. Retrieval varies, depending on the type of project for which records are being used.

Safeguards:

Records are maintained in lockable file cabinets in offices that are locked during nonworking hours. Records are provided, as a matter of administrative procedure, only to those General Counsel officials with a need to use the records for the performance of management functions.

Retention and disposal:

Records retained for 2½ years.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Office of General Counsel, GC-41, Administrative Officer, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The directors of personnel for the locations where the records are maintained are designated the system manager for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), at the appropriate address identified as item 1 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individuals, their supervisors and the DOE Office of Personnel.

Systems exempted from certain provisions of the act:

None.

DOE-11

System name:

Emergency Locator Records.

Security classification:

Unclassified.

System location:

These records are maintained at all DOE locations identitfied as items 1 through 21 in Appendix A.

Categories of individuals covered by the system:

DOE senior staff officials, office directors and key support staff, DOE contractors, and other various Federal officials involved in DOE business.

Categories of records in the system:

By name, home telephone number, home address, individual's title, and the name of person to contact in case of an emergency.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act, Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are made available to the DOE personnel, contractors, and other Government agency personnel on a need-to-know basis. The information is also used in order to enable contact with appropriate personnel in the event of an emergency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name of subject individual.

Safeguards:

Records are located in lockable drawers or file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records are revised when appropriate, at which point the older records are destroyed, in accordance with DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Assistant Secretary for Management and Administration, MA-1, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of records at the field locations where the system is maintained are the system managers for their respective portions of this system.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-12

System name:

Nationwide Traineeship Reporting System.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Office of Energy Research, ER-44, 1000 Independence Avenue, SW., Washington, DC 20585

U.S. Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 99562.

Categories of individuals covered by the system:

College graduate students participating in the DOE-sponsored traineeship/laboratory graduate program.

Categories of records in the system:

Academic background, employment history, traineeship area of study, and mailing/permanent addresses.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

University traineeship advisers—compliance with contract terms covering traineeship administration functions. Contractor officials—for possible employment selection/notification. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, punched cards, and magnetic tape.

Retrievability:

By name, institution, laboratory, traineeship program class, and traineeship identification number.

Safeguards:

Records are maintained in a secure building. Access to magnetic tapes is controlled through established DOE computer center procedures (personnel screening and physical security). Access is on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." "Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Field Operations Management, ER-40, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Office: The director of the Richland Operations Office is the system manager for his portion of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer, Richland Operations Office, at the appropriate address identified as items 1 and 15 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

University traineeship advisors.

Systems exempted from certain provisions of the act:

None.

DOE-13

System name:

Payroll and Leave Records.

System location:

The records are maintained at all DOE locations identified in Appendix A.

Categories of individuals covered by the system:

DOE personnel and consultants, specifically including personnel and consultants of the Federal Energy Regulatory Commission.

Categories of records in the system:

Time and attendance records, earning records, payroll actions, deduction information requests, authorizations for overtime, and night differential, and Office of Personnel Management retirement records.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 66(a)); 5 U.S.C. 5101-5115; T.766 General Accounting Office Policy and Procedures Manual; Federal Personnel Manual Supplement 296-31/293-31; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Treasury Department—To collect withheld taxes, print payroll checks and issue savings bonds.

Internal Revenue Service—To process Federal income tax.

State and Local Governments—To process state and local income tax processing.

Office of Personnel Management—Retirement records and benefits.

Social Security Administration—Social Security records and benefits.

Department of Labor—To process Workmen's Compensation claims.

Department of Defense—Military Retired Pay Offices—To adjust Military Retirement.

Savings Institutions—To credit accounts for savings made through payroll deductions.

Employee Unions—To credit accounts for employees with union dues deductions.

Health Insurance Carriers—To process insurance claims.

General Accounting Office—Audit—To verify accuracy and legality of disbursement.

Veterans' Administration—To evaluate veteran's benefits to which the individual may be entitled.

States' Departments of Employment Security—To determine entitlement to unemployment compensation or other state benefits.

Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, punched cards, magnetic tape and disc, and microfiche.

Retrievability:

By name, social security number, and payroll number.

Safeguards:

Access to magnetic tapes and disc files is controlled through established DOE computer center procedures (personnel screening and physical security). Paper records are maintained in locked cabinets and desks. Access to any record is on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Controller, MA-80, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of field locations 2 through 21 in Appendix A are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, location(s) of employment, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, supervisors, timekeepers, official personnel records, and the IRS.

Systems exempted from certain provisions of the act:

None.

DOE-14

System name:

Report of Compensation.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 11, 12, 14 through 18 and 21 in Appendix A.

Categories of individuals covered by the system:

Employees of DOE contractors performing and operating onsite service work in DOE-owned or -controlled facilities, including long-term architect-engineering, and cost-reimbursement construction contractors (ref. DOE-PR 9-50.001 of June 30, 1979).

Categories of records in the system:

Name, job title, contractor, current salary (list for 40,000 and above only), amount reimbursed, and other compensation (actual and amount reimbursed).

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information is used in reviewing reasonableness of compensation paid to top level contractor employees. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and paper records.

Retrievability:

By name.

Safeguards:

Computer security procedures for data safekeeping. Associated records are maintained in locked file cabinets in secured and guarded buildings with access on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-70, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 11, 12, 14 through 18, and 21 in Appendix A; in accordance with DOE'sPrivacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Contractor salary administrative personnel.

Systems exempted from certain provisions of the act:

None.

DOE-15

System name:

Payroll and Pay-Related Data for Employees of Terminated Contractors.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 12, 15, and 21 in Appendix A.

Categories of individuals covered by the system:

Former contractor employees.

Categories of records in the system:

Employee payroll data from terminated contractors, employment history, job titles, complaints, salary reviews, and similar information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used to verify past earnings, job titles, periods of employment, and pay status for Government agencies, litigation and medical decisions. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in DOE records holding area.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-70, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The directors of contractors industrial relations at the location where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 12, 15, and 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

DOE contractors.

Systems exempted from certain provisions of the act:

None.

DOE-16

System name: Reports of Financial Interest.

Security classification: Unclassified.

System location: The locations listed as items 1, 3, 6, 8, 9, 11, 12, 14 through 19, and 21 in Appendix A, and the following additional locations:

U.S. Department of Energy, Brookhaven Area Office, Upton, NY 11973

U.S. Department of Energy, Kansas City Area Office, Office of Chief Counsel, P.O. Box 202, Kansas City, Mo 64141

U.S. Department of Energy, Los Alamos Area Office, Office of the Chief Counsel, 528 35th Street, Los Alamos, NM 87544

U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401

Categories of individuals covered by the system:

Current or former officers, employees and special Government employees of the DOE or its predecessor agencies, excluding employees of the Federal Energy Regulatory Commission (FERC) (and its predecessor, the Federal Power Commission (FPC)), required to submit financial interest forms in accordance with Executive Order 11222; Title VI of the Department of Energy Organization Act; and regulations or other instructions issued by the DOE and its predecessor agencies (except for the FERC and FPC) in implementation of the Government financial interest program.

Categories of records in the system:

Information contained in DOE Report of Financial Interests Forms DOE-459, 460, 461, and in Energy Research and Development Administration (ERDA) Conflict of Interest Forms 443 and 269, and in Federal Energy Administration (FEA) Financial Interest Forms FEA F-82, F-91, and F-254, including individual's name, position title, date of appointment, employment and financial interests, creditors, interest in real property, names and addresses of other persons requested to supply information, individual's certificate of truth and veracity, and correspondence pertaining to the individual's financial interest statement.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act; including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 5 CFR Part 735 (also Federal Personnel Manual, Chapter 735); Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Cognizant appointing officials—to assist the Department, OPM, and the President in determining whether individuals have conflicts or apparent conflicts of interest in the performance of official duties; for counseling of personnel in avoiding violations; for assignment of duties; for law enforcement review.

The public—pursuant to statute, portions of the DOE Forms 459 and 460 (Parts A thereof), and all of FEA Form F-254 are required to be made available to the public.

Additional routine uses 1, 2, 3, 4, 7, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name.

Safeguards:

Records are maintained in locked filing cabinets and rooms, or in Class C manipulation-proof, three-way combination locked steel containers. Access is by authorized personnel only.

Retention and disposal:

Records generated pursuant to the Department of Energy Organization Act are retained for 6 years after receipt. ERDA forms and related papers are retained for 2 years after the individual leaves the position for which the submission is required, or 2 years after separation, whichever is earlier. FEA records are maintained until the individual severs connection with the agency; no time period for retention after severance was developed by the FEA. Records within DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Office of General Counsel, GC-45, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers, directors, or administrators of field locations identified as items 3, 6, 8, 9, 11, 12, 14 through 19, and 21 in Appendix A are system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 9, 11, 12, 14, 19 and 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Individual's name, DOE (or ERDA or FEA) location of last employment or cognizant office, and time period of employment.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individual on whom the record is maintained, or other person (such as a trustee, attorney, or accountant) identified by the individual as a supplier of information.

Systems exempted from certain provisions of the act: None.

DOE-17

System name:

Certificates of Eligibility for FHA Insured Loans.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544.

Categories of individuals covered by the system:

Persons having Certificates of Eligibility for FHA insured loans.

Categories of records in the system:

Name, employment, and loan information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

FHA—for approval by area manager and processing of loan. Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in a locked building.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Manager, Albuquerque Operations Office, P.O. Box 5400, Albuquerque, NM 87115.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Albuquerque Operations Office, P.O. Box 5400, Albuquerque, NM 87115, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, employer, and real estate broker.

Systems exempted from certain provisions of the act:

None.

DOE-18

System name:

Accounts Payable Financial System.

Security classification:

Unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A.

Categories of individuals covered by the system:

Creditors due money from the agency (including employees), former employees, and members of the general public.

Categories of records in the system:

Name and address; amount owed and service performed; underpayment or other accounting information; and invoice number.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Paying creditors and the additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and machine readable records.

Retrievability:

By name and purchase order or contract number, as appropriate.

Safeguards:

Physical, technical, and administrative security is maintained, with all storage equipment and rooms locked when not in use. Access is restricted to authorized personnel.

Retention and disposal:

Records are retained until payment is made and account is audited. Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Controller, MA-80, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address indentified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, contracting officer and, as appropriate, accounting records.

Systems exempted from certain provisions of the act:

None.

DOE-19

System name:

Accounts Receivable Financial System.

Security classification:

Unclassified.

System location:

The locations listed in Appendix A of the Department of Energy; Privacy Act of 1974; Annual Publication of System Notices (47 FR 14333, April 2, 1982).

Categories of individuals covered by the system:

Persons owing money to DOE.

Categories of records in the system:

Name, address, telephone number, taxpayer identification number, and other applicable debtor identifying information; invoice number; basis, amount, and status of the claim; and history of the claim including collection actions taken.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 31 U.S.C. 3512; 5 U.S.C. 5701-09; Federal Property Management Regulations 101-107; Treasury Financial Manual; Executive Order 12009.

Purpose(s):

To record and manage the Department's accounts receivable.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses:

Other Federal Agencies, Consumer Reporting Agencies (only for the purpose of acquiring credit information), and Collection Agencies—To aid in the collection of outstanding debts owed to the Federal Government.

Additional routine uses as listed in Appendix B of the Department of Energy; Privacy Act of 1974; Annual Publication of System Notices (47 FR 14333, April 2, 1982).

Disclosure to consumer reporting agencies: Disclosures to Consumer Reporting Agencies:

Disclosure Pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, magnetic tape and disc, and microform.

Retrievability:

By name, taxpayer identification number, or invoice number.

Safeguards:

Access to records is by authorized personnel only.

Retention and disposal:

Records are retained until payment is received and account is audited. Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: Controller, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585.

Field Offices: The managers and directors of the field locations 2 through 21 in Appendix A (47 FR 14333, April 2, 1982) are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Chief, Freedom of Information and Privacy Acts, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A (47 FR 14333, April 2, 1982) in accordance with DOE's Privacy Act regulations (10 CFR Part 1008).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such records may be located, and time period.

Record access procedures:

Same as NOTIFICATION PROCEDURES above.

Contesting record procedures:

Same as NOTIFICATION PROCEDURES above.

Record source categories:

The individual who is the subject of the record; contracting officer, where applicable; and accounting records.

Systems exempted from certain provisions of the act:

None.

DOE-20

System name:

Imprest Fund Cashiers.

Security classification:

Unclassified.

System location:

The records are maintained at all DOE locations identified in Appendix A.

Categories of individuals covered by the system:

DOE personnel who are imprest fund cashiers.

Categories of records in the system:

Name, date of appointment, authorized amount of funds, and reports of unannounced administrative reviews.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For control of funds handling appointments. Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records (letter memoranda or forms).

Retrievability:

By name and office location.

Safeguards:

Records are maintained in a locked building.

Retention and disposal:

Records are destroyed after 6 years.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Controller, MA-80, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers and directors of field locations 2 through 21 in Appendix A are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters) or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, location(s) of employment, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, supervisors, and employees appointed to conduct administrative reviews.

Systems exempted from certain provisions of the act:

None.

DOE-21

System name:

Emergency Defense Mobilization Files.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Utility Systems & Emergency Communication, EP-422, 1000 Independence Avenue, SW., Washington, D.C. 20585.

Categories of individuals covered by the system:

Members of the National Defense Executive Reserve and other individuals assigned responsibilities in the event of a national defense emergency.

Categories of records in the system:

Biographical and related records.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Defense Production Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

DOE officials and officials of other departments and agencies—use of records to administer the National Defense Executive Reserve Program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in lockable drawers or file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records are retained for 2 years following the resignation or death of the subject individual.

System manager(s) and address:

U.S. Department of Energy, Assistant Secretary, Environmental Protection, Safety and Emergency Preparedness (or his designee), EP-1, 1000 Independence Avenue, SW., Washington, D.C. 20585.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, D.C. 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-22

System name:

Plant Services History.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208.

Categories of individuals covered by the system:

Individuals who have been or are employed by the Division of Plant Services.

Categories of records in the system:

Records concerning labor performed by the above-defined individuals, including type of work, rate, pay, travel and per diem status, and for whom these services were performed.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The primary uses of the records are to provide a detailed record of costs incurred for labor against any plant services requested on a monthly basis, to provide backup for charges for work performed for other Federal agencies under the cross-servicing agreements authorized by GSA Bulletin FPMR 100.G-23, and to provide backup for charges against contractors and other vendors for corrective work performed by the Branch of Plant Services. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape.

Retrievability:

By name, position number, and time period involved.

Safeguards:

Records are maintained in a locked building.

Retention and disposal:

Tapes are erased after 10 years.

System manager(s) and address:

Field Offices: U.S. Department of Energy, Director, Division of Plant Services, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208.

Notification procedure:

a. Requests by an indivudual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Daily time reports and leave applications completed and signed by subject individuals.

Systems exempted from certain provisions of the act:

None.

DOE-23

System name:

Property Accountability System.

Security classification:

Unclassified.

System location:

The locations listed as items 2, 5, 13, 15, 19, 20, and 21 in Appendix A, and the following additional location:

U.S. Department of Energy, Division of Plant Services, EJ, Bonneville Power Administration, P.O. Box 491, Vancouver, WA 98660.

Categories of individuals covered by the system:

DOE employees authorized to be custodians of controlled DOE equipment.

Categories of records in the system:

Contains records concerning the types, quantity, make and models, and value of equipment assigned to individuals and crews. Also, the employees assigned equipment, their account numbers, organization, and location.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Federal Property and Administrative Services Act of 1949, Section 202(b), 40 U.S.C. 483(b), Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are (a) to provide inventories to satisfy other FPMR requirements; (b) to maintain a record of location of emergency equipment; (c) to control equipment assignments authorized under union contracts; (d) to provide management information necessary for the budgeting and allocation of equipment funds; and (e) to provide evidence of assignment, location, and value in the event that Government property is stolen. Additional routine uses 1, 4, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic disks and paper records.

Retrievability:

By name, position number, and/or employee identification number.

Safeguards:

Access is restricted to authorized personnel.

Retention and disposal:

Tapes are erased after 10 years. Paper records are held no longer than 6 years after final payment.

System manager(s) and address:

The managers or directors of filed locations 2, 5, 13, 15, 19, 20, and 21, and of the Bonneville office listed above under System location are the system managers for their respective portions of this system.

Notification procedure:

a. Request by an individual to determine if a system of records contains information about him/her should be directed the Privacy Act Officer at the appropriate address identified as items, 2, 5, 13, 15, 19, 20, and 21 in Appendix A; and in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Systems exempted from certain provisions of the act:

None.

DOE-24

System name:

Land Records.

Security classification:

Unclassified.

System location:

Western Area Power Administration, Division of Land, P.O. Box 3402, Golden, CO 80401.

Subunits of the Bonneville Power Administrative:

- U.S. Department of Energy, Division of Land Resources, P.O. Box 3621, Portland, OR 97208
- U.S. Department of Energy, Lower Columbia Area, P.O. Box 3621, Portland, OR 97208

U.S. Department of Energy, Ross Complex, P.O. Box 491,
Vancouver, WA 98666
U.S. Department of Energy, Upper Columbia Area, U.S. Court
House, Room 561, West 920 Riverside Avenue, Spokane, WA
99201
U.S. Department of Energy, Snake River Area, West 101
Poplar, P.O. Box 1518, Walla Walla, WA 99362

Categories of individuals covered by the system:

Individuals and/or companies from whom or to whom WAPA or BPA has acquired or given interests in land.

Categories of records in the system:

The records contain the individual's name, description of land tract, type of agreement, rights granted or received, and history of the transaction.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To answer questions regarding land rights which WAPA or BPA has granted to individuals or land rights individuals which have granted to BPA; and as a data source used to update maps. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on computer punched cards and magnetic tapes; maintained manually in file folders, on cards and on microfilm. Computer reports and keypunched cards are stored in cabinets; the land tract register is stored in a safe.

Retrievability:

By line identification, tract number, and contract number; cross referenced by name of landowner, grantee, or grantor.

Safeguards:

Access to the records is limited to authorized persons. During nonworking hours, access to the records is restricted by their storage in locked metal file cabinets or a locked room.

Retention and disposal:

Land records are retained for 10 years after unconditional sale or release by the Government, of conditions, restrictions, mortgages or other liens. Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Bonneville Power Administration,
Director, Division of Land, P.O. Box 3621, Portland, OR
97208
U.S. Department of Energy, Western Area Power
Administration, Director, Division of Land, P.O. Box 3402,
Golden, CO 80401

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer at the address identified as items 5 and 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Information in this system comes from individual landowners, grantees, or grantors; WAPA or BPA officials; and state and local authorities.

Systems exempted from certain provisions of the act:

None.

DOE-25

System name:

Employee Parking Records (this system concerns parking managed and controlled by DOE under the general direction of the General Services Administration).

Security classification:

Unclassified.

System location:

The locations listed as items, 1, 3, 5, 16, 17, and 20 in Appendix A.

Categories of individuals covered by the system:

All DOE employees who apply as members of a carpool or vanpool for DOE parking spaces managed and controlled by DOE under the general directon of the General Services Administration. Also, employees of DOE, DOE contractors, and of nearby employers at the locations listed above.

Categories of records in the system:

Name; Federal service computation date; payroll or other assigned number; office address and telephone; home address and telephone; make, year, state of registration, and tag number of pool vehicles; and number of days per week in the carpool or vanpool, and other carpooling or vanpooling information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Federal Management Circular 1-74.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Dissemination to individuals seeking to join a carpool or vanpool which operates from their residence area. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records and magnetic tape.

Retrievability:

By name, location of parking assignment, home address, payroll or other assigned number, and license number.

Safeguards:

Paper records are maintained in a lockable metal file cabinet. Magnetic tapes are stored in a restricted area. Access is limited to DOE and contractor personnel who need the information to perform their official duties.

Retention and disposal:

Parking records are retained until new parking assignments are made (approximately 6 months). Carpool records are retained for 2 years.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Administrative Services, Washington, DC 20585.

Field Offices: The managers and directors of field locations listed as items 3, 5, 16, 17, and 20 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 5, 16, 17, and 20 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-26

System name:

Official Travel Records.

Security classification:

Unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A, and the following additional locations:

U.S. Department of Energy, Clinch River Breeder Reactor
Plant Project, P.O. Box U, Oak Ridge, TN 37830

U.S. Department of Energy, Naval Petroleum and Oil Shale
Reserve, Colorado, Utah, Wyoming, 400 East First Street,
Suite 311, Casper, WY 82601

U.S. Department of Energy, Naval Petroleum Reserve in
California, P.O. Box 11, Tupman, CA 93276

U.S. Department of Energy, Strategic Petroleum Reserve
Project Management Office, 900 Commerce Road East, New
Orleans, LA 70123

Categories of individuals covered by the system:

DOE employees who have traveled on official business or changed official duty stations, and other individuals authorized to travel at Government expense for DOE. Also official guests of DOE.

Categories of records in the system:

Name, address, social security number, destination, itinerary, mode and purpose of travel, date of travel, expenses (including amount advanced, if any), amounts claimed, amounts reimbursed, travel orders, travel vouchers, receipts, and passport record card.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 5 U.S.C. 5701-5709; Executive Order 12009; Federal Property Management Regulations 101-7; Federal Travel Regulations; Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; Federal Claims Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal to the U.S. Treasury for payment of claim, to General Accounting Office for audit and verification of accuracy and legality of disbursements, to IRS for notification regarding taxable travel reimbursements. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, punched cards, magnetic tape and disk, microfiche, and computer printouts.

Retrievability:

By name, social security number, travel order number, and date.

Safeguards:

Access to magnetic tapes and disk files is controlled through established DOE computer center procedures (personnel screening and physical security). Records are maintained in locked cabinets and desks with access on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Controller, MA-80, 1000 Independence Avenue, SW, Washington, DC 20585.

Field Offices: The managers and directors of field locations 2 through 21 in Appendix A and the additional locations listed above under System location are system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, location of employment, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals, supervisors, and finance (or accounting) office standard references.

Systems exempted from certain provisions of the act:

None.

DOE-27

System name:

Foreign Travel Records.

Security classification:

Classified and unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A, and the following additional location:

U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544.

Categories of individuals covered by the system:

DOE employees and contractor employees authorized to travel to foreign countries.

Categories of records in the system:

Security evaluation of individual's access to classified information and background data relating to proposed foreign travel; travel itinerary, and summary report following completion of travel.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 5 U.S.C. 5701-5709; Executive Order 12009; Federal Property Management Regulations 101-7; Federal Trade Regulations; Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; Federal Claims Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal to U.S. Treasury for payment of claims, to General Accounting Office for audit and verification of accuracy and legality of disbursements, to IRS for notification regarding taxable travel reimbursements, to State Department for passports, and to law enforcement and intelligence agencies for post-travel discussions.

Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer printouts, punched cards, magnetic tape, disk, paper, and microfiche.

Retrievability:

By name.

Safeguards:

Access is limited to employees with a need-to-know. Records are maintained in guarded buildings.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 2 through 21 in Appendix A, and the Los Alamos Area Office are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete full name, date of birth, location of employment, and dates of travel.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals and supervisors.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsections (c)(3), (d), (e)(1), (e)(4), (G), (H), (I), and (f) of 5 U.S.C. 552a under the Privacy Act of 1974 (10 CFR Part 1008 (45 FR 61576, September 16, 1980)). This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k) (1), (2) and (5).

DOE-28

System name:

General Training Records.

Security classification:

Unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A.

Categories of individuals covered by the system:

All individuals who have requested and participated in training programs administered by DOE, other agencies, or other organizations.

Categories of records in the system:

Name, grade, organization, date of birth, social security number; home address and telephone number and special interest area; education completed, course name, justification for attending the course, direct and indirect costs of training, coded information dealing with purpose, type, source; of 170; course evaluation form, accounting records and central personnel data file quarterly training report.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Government Employees Training Act of 1958; Federal Personnel Manual Bulletin 290-15; Federal Personnel Manual, Chapter 410 and Appendix A thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information in these records is transmitted to intra- and interagency program offices for purposes of determining eligibility for training; to Federal agencies, including the Office of Personnel Management, as source documents for training reports; to training institutions that personnel have requested to attend; and to other Federal agencies as the information documents for payment of funds for training. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability: By name and social security number.

Safeguards:

Records are maintained in secured file cabinets with access limited to those whose official duties require access.

Retention and disposal:

Training requests and authorizations are retained for 3 years and then destroyed. Other training records are incorporated in the individual's personnel folder.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Employee Development and Training, MA-13, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The managers, directors, or administrators of field locations 2 through 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individuals and the individuals' supervisors.

Systems exempted from certain provisions of the act: None.

DOE-29

System name:

Technology Training Program—Skill Training at Technician Level.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 8, and 15 in Appendix A, and the following additional location:

U.S. Department of Energy, Oak Ridge Associated Universities, Oak Ridge Operations Office, P.O. Box 117, Oak Ridge, TN 37830.

Categories of individuals covered by the system:

Technicians in skill-level training for industrial employers within the energy industry, e.g., construction, electro/mechanical drafting, inhalation toxicologists, radiation monitoring, welding inspection, vacuum technology, and laser and optics technology.

Categories of records in the system:

Applications for training assigment, work histories, education, training evaluations.

Authority for maintenance of the system: 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer printouts, punched cards, magnetic tapes, disks, paper, and mirofiche.

Retrievability:

By name.

Safeguards:

Records are maintained in a guarded building.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-70, Washington, DC 20585.

Field Offices: The managers and directors of field locations 8 and 15 of Appendix A, and the Oak Ridge Operations Office are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 8 and 15 in Appendix A, in accordance with DOE's Privacy regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual and contractor by whom the individual is employed.

Systems exempted from certain provisions of the act: None.

DOE-31

System name:

Firearms Qualification Records.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 11, 12, and 14 through 18 in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Dayton Area Office, Mound Laboratory, Box 66, Miamisburg, OH 45342
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, 200 E. Bannister Road, Kansas City, MO 64141
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Pinellas Area Office, GE Pinellas Peninsula, P.O. Box 11500, St. Petersburg, FL 33733
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401
U.S. Department of Energy, Sandia Area Office, Technical Area I, Kirtland Air Force Base-East, Albuquerque, NM 87115
U.S. Department of Energy, San Francisco Livermore Site Office, Trailer 125, Room 106, Livermore, CA 94550

Categories of individuals covered by the system:

Department of Energy employees and contractor employees who familiarize themselves or qualify with firearms in the performance of their regular duties.

Categories of records in the system:

Records of an individual's annual qualification scores; approvals of gun permits; records concerning accountability of firearms.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Wackenhut Services Inc. (Nevada) Training and Administrative Personnel-performance of regular duties.

Los Alamos County Sheriff-deputation of individuals.

Los Alamos County Clerk-recording of Deputy Commission.

Los Alamos District Court Clerk-recording of Deputy Commission.

Additional routine uses 1, 2, 3, 5, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Access is limited to employees having a need-to-know. Records are stored in security areas under guard and/or alarm protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Record Disposition." Records within the Department of Energy are destoryed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices:

The managers and directors of field locations 3, 6, 8, 11, 12, and 14 through 18 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 3, 6, 8, 11, 12 and 14 through 18 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Gun permit notifications and firearm qualifications results from individuals and training personnel.

Systems exempted from certain provisions of the act:

None.

DOE-32

System name:

Government Motor Vehicle Operator Records.

Security classification: Unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A, and the following additional locations:

U.S. Department of Energy, Bonneville Power Administration, Portland Area Office, 919 Northeast 19th Avenue, P.O. Box 3621, Portland, OR 97208
U.S. Department of Energy, Bonneville Power Administration, Seattle Area Office, 415 First Avenue North, Room 250, Seattle, WA 98109
U.S. Department of Energy, Bonneville Power Administration, Spokane Area Office, United States Court House, Room 561, West 920 Riverside Avenue, Spokane, WA 99201
U.S. Department of Energy, Bonneville Power Administration, Ross Complex, 5400 Northeast Highway 99, P.O. Box 491, Vancouver, WA 98660
U.S. Department of Energy, Bonneville Power Administration, West 101 Polar, P.O. Box 1518, Walla Walla, WA 99362
U.S. Department of Energy, Carbondale Mining Research Center, P.O. Box 2587, Carbondale, IL 62901
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Naval Petroleum Reserve, P.O. Box 11, Tupman, CA 93276
U.S. Department of Energy, New Brunswick Laboratory, D-350, 9800 S. Cass Avenue, Argonne, IL 60439
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401
U.S. Department of Energy, Solar Energy Research Institute, 1536 Cole Boulevard, Golden, CO 80401
U.S. Department of Energy, Strategic Petroleum Reserve, 900 Commerce Road, East, New Orleans, LA 70123

Categories of individuals covered by the system:

Each DOE employee and contractor employee whose job duties require frequent or occasional use of Government-owned or-leased vehicles and who apply for Motor Vehicle Operator Identification Cards (Standard Form 46). Also, some U.S. Geological Survey personnel, U.S. Forest Service personnel, and Nuclear Regulatory Commission personnel.

Categories of records in the system:

Motor Vehicle Operator Identification Cards (Standard Form 46) which contains, name, card number, date issued, date expires, sex, date of birth, color of hair, color of eyes, height, weight, birthplace, name and location of issuing unit, signature of operator, vehicle qualified to operate, other records (optional), (Social Security number and traffic arrests have been deleted from this form for Headquarters); Application for Motor Vehicle Operators Identification Cards (DOE Form 97) which contains, name, home address, place of birth, employer, job title, sex, date of birth, color of hair, color of eyes, height, weight, number of years driving, number of years driving manual shift, whether driven 5000 miles in past 3 years, whether completed driving course, state of chauffers license and number, state of operators license and number, state and expiration date, whether road test was required for operators license, convictions traffic violations in past 2 years, accidents in past 2 years, medical history, glasses/contacts/hearing aid.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; 40 U.S.C. 491(j); Executive Order 12009; Federal Property Management Regulations concerning use of Government-owned and leased vehicles.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine eligibility for operation of Government motor vehicles. Additional routine uses 1, 2, 3, 4, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, microfiche, computer printouts, punched cards, magnetic tape, and disk.

Retrievability:

By name, chronologically by expiration date and date of any incidents, and numerically by badge number.

Safeguards:

Maintained in buildings with controlled access, combination file safe, and key lock file.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Administrative Services, MA-40, 1000 Independence Avenue SW., Washington, DC 20585.

Field Offices:

The managers and directors of field locations identified as items 2 through 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, location(s) of DOE installation, where Government driver's license was issued, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Individual applications, accident reports, examinations (for qualifications) by medical personnel, National Driver Register, reports by citizens on alleged misuse of Federal vehicles, and state or local police.

Systems exempted from certain provisions of the act:

None.

DOE-33

System name:

Personnel Medical Records.

Security classification:

Unclassified.

System location:

The locations listed in Appendix A of 47 FR 14284, dated April 2, 1982, and the following additional locations:

U.S. Department of Energy, Bendix Corporation, P.O. Box 1159, Kansas City, MO 64141.

U.S. Department of Energy, Bettis Atomic Power Laboratory, P.O. Box 79, Pittsburgh, PA 15122-0079.

U.S. Department of Energy, Dayton Area Office, Box 66, Miamisburg, OH 45342.

U.S. Department of Energy, Kansas City Area Office, Box 410202, Kansas City, MO 64141.

U.S. Department of Energy, Knolls Atomic Power Laboratory, P.O. Box 1072, Schenectady, NY 12301.

U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544.

U.S. Department of Energy, Naval Petroleum Reserves, P.O. Box 11, Tupman, CA 93276.

U.S. Department of Energy, Westinghouse Electric Corporation, Bettis Atomic Power Laboratory, Naval Reactors Facility, P.O. Box 2068, Idaho Falls, ID 83403-2068.

U.S. Department of Energy, Strategic Petroleum Reserve, 900 Commerce Road, East, New Orleans, LA 70123.

Categories of individuals covered by the system:

Present and former DOE employees and DOE contractor employees. This system includes individuals admitted to or treated at Kadlec Hospital, Richland, prior to September 9, 1956.

Categories of records in the system:

Medical histories on employees resulting from medical examination and radiation exposure. In cases of injury, description of injury occurrence and treatment. In addition, medical records of periodic physical examinations and pyschological testing, blood donor program records, audiometric testing, routine first aid, and other visits. Also, hospital in-patients at Kadlec Hospital. Records kept on the results of work place and medical monitoring of individuals for exposure to chemical and physical agents (not covered in DOE-35) and related work history data.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference to Title II of the Department of Energy Organization Act; 5 U.S.C. 7901; Executive Order 12009; OMB Circular A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Physicians, U.S. Department of Labor, various state departments of labor and industry groups, and contractors use information (a) to ascertain suitability of an employee for job assignments with regard to health, (b) to provide benefits under Federal programs or contracts, and (c) to maintain a record of occupational injuries or illnesses and the performance of regular diagnostic and treatment services to patients.

DOE may disclose a record from this system of records to officials of the National Institute for Occupational Safety and Health for the purpose of conducting a health hazard evaluation of workers.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act. Additional routine uses listed in Appendix B of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer printouts, magnetic tape, paper, computer disc, and microfilm.

Retrievability:

By name, social security number, and plant area.

Safeguards:

Active records are maintained in locked file cabinets in locked buildings. Inactive records are maintained in locked storage vaults.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Deputy Assistant Secretary for Safety, Health and Quality Assurance, EH-30, Washington, DC 20585.

Field Offices: The managers and directors of field locations identified as items 2 through 21 Appendix A of 47 FR 14284, dated April 2, 1982, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Chief, Freedom of Information and Privacy Acts, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A of 47 FR 14284, dated April 2, 1982, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Applicable location or locations where individual is or was employed, full name or where requester believes such record may be located, social security number, employer(s), and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individual who is the subject of the record, physicians, medical institutions, Office of Workers Compensation Programs, military retired pay systems records, Federal civilian retirement systems, Office of Personnel Management retirement life insurance and health benefits records system, and the Office of Personnel Management personnel management records systems.

Systems exempted from certain provisions of the act:

None.

DOE-34

System name:

Employee Assistance Program (Alcohol and Drug Abuse Program).

Security classification:

Unclassified.

System location:

These records are maintained at all DOE offices.

Categories of individuals covered by the system:

Employees receiving counseling and referral services to resolve alcohol and/or drug abuse problems.

Categories of records in the system:

Name, address, job title, grade level, date of employment, work history, community social service agency referrals, and medical reports.

Authority for maintenance of the system:

Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970; Federal Personnel Manual Letter No. 792-4; 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Division of Personnel Policies and Programs, MA-12, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices:

The managers and directors at all DOE locations are the system managers for their respective portions of the system

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual and the individual's supervisors.

Systems exempted from certain provisions of the act:

None.

DOE-35

System name:

Personnel Radiation Exposure Records.

Security classification:

Unclassified.

System location:

The locations listed in Appendix A of 47 FR 14284, dated April 2, 1982, and the following additional locations: U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 30030, Amarillo, TX 79129-0030.

U.S. Department of Energy, Brookhaven Area Office, Upton, NY 11973.
U.S. Department of Energy, Dayton Area Office, P.O. Box 66, Miamisburg, OH 45442.
U.S. Department of Energy, Environmental Measurements Laboratory, 376 Hudson Streeet, New York, NY 10014.
U.S. Department of Energy, Radiological and Environmental Sciences Laboratory, CF-690, 785 DOE Place, Idaho Falls, ID 83402.
U.S. Department of Energy, Kansas City Area Office, Box 410202, Kansas City, MO 64141.
U.S. Department of Energy, Knolls Atomic Power Laboratory, P.O. Box 1072, Schenectady, NY 12301.
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544.
U.S. Department of Energy, Naval Reactors Representative Office, General Delivery, Naval Base Branch, Post Office, Charleston Naval Shipyard, Charleston, SC 29408.
U.S. Department of Energy, Naval Reactors Representative Office, P.O. Box 21, Groton, CT 06340.
U.S. Department of Energy, Naval Reactors Representative Office, Mare Island Naval Shipyard, P.O. Box 2053, Vallejo, CA 94592.
U.S. Department of Energy, Naval Reactors Representative Office, Newport News Shipbuilding & Dry Dock Company, P.O. Box 973, Newport News, VA 23607.
U.S. Department of Energy, Naval Reactors Representative Office, Norfork Naval Shipyard, P.O. Box 848, Portsmouth, VA 23705-0848.
U.S. Department of Energy, Naval Reactors Representative Office, Pearl Harbor Naval Shipyard, P.O. Box 128, Pearl Harbor, HI 96860.
U.S. Department of Energy, Naval Reactors Representative Office, Portsmouth Naval Shipyard, P.O. Box 2008, Portsmouth, NH 03801.
U.S. Department of Energy, Naval Reactors Representative Office, Puget Sound Naval Shipyard, P.O. Box 1A, Bremerton, WA 98314.
U.S. Department of Energy, New Brunswick Laboratory, 9800 South Cass Avenue, Argonne, IL 60439.

U.S. Department of Energy, Pinellas Area Office, P.O. Box 2900, Largo, FL 34294.
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80402-0982.
U.S. Department of Energy, Sandia National Laboratories, P.O. Box 5800, Albuquerque, NM 87115.
U.S. Department of Energy, Shippingport Nuclear Power Station, General Electric Co., P.O. Box 335, Shippingport, PA 15077.

Categories of individuals covered by the system:

U.S. Department of Energy (DOE) employees and contractor employees, and any other persons having access to certain DOE facilities.

Categories of records in the system:

U.S. Department of Energy (DOE) and contractor personnel and other individuals' radiation exposure records, and other records, in connection with registeries of uranium, transuranics, or other elements encountered in the nuclear industry.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

U.S. Navy uses these records to monitor radiation exposure of Naval and other personnel.

Nuclear Regulatory Commission uses these records to monitor radiation exposure of DOE contractor personnel. U.S. Department of Energy and its contractors and consultants, other contractors, and organizations, including various states' departments of labor and industry groups, use these records to monitor radiation exposure.

Department of Defense uses these records for the purpose of identifying DOD and DOD-contractor personnel exposed to inoizing radiation during nuclear testing and for conducting epidemiological studies of radiation effects on individuals so identified.

National Academy of Sciences and Center for Disease Control (and appropriate management personnel of the U.S. Department of Health and Human Services) use these records for conducting epidemiologic studies of the effects of radiation on individuals exposed to ionizing radiation.

The Department of Energy may disclose a record from this system of records to officials of the National Institute for Occupational Safety and Health for the purpose of conducting a health hazard evaluation of workers.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the date and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer printouts, paper records, index cards, magnetic tape, punched cards, microfilm, and disc.

Retrievability:

By name, alphanumeric code, and social security number.

Safeguards:

Records are maintained in locked file cabinets, locked safes, guarded areas, and secured buildings, with access on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are rendered illegible and destroyed by shredding, maceration or burning, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Deputy Assistant Secretary for Safety, Health and Quality Assurance, EH-30, Washington, DC 20585.

Field Offices: The managers and directors of field locations 3, 4, and 6 through 18 in Appendix A, of 47 FR 14284, dated April 2, 1982, and the additional locations listed above under System Location are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Chief, Freedom of Information and Privacy Acts, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 4, and 6 through 18 in Appendix A of 47 FR 14284, dated April 2, 1982, in accordance with DOE's Privacy Act regulations (10 CFR part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, and geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, accident-incident investigations, film badges, dosimetry records, and previous employee records.

Systems exempted from certain provisions of the act:

None.

DOE-36

System name:

Statistical Analysis Using Personnel Security Questionnaire (Health and Mortality Study).

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830
U.S. Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 98174

Categories of individuals covered by the system:

DOE and predecessor agency employees, consultants and contractor employees, and consultants who were granted access authorizations (clearances).

Categories of records in the system:

Records of employees of the Manhattan Engineering District Project, Atomic Energy Commission, Energy Research and Development Administration, and DOE, including copies of Personnel Security Questionnaires completed after termination of employment.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Statistical analyses using Personnel Security Questionnaires. A record from this system of records may be disclosed to officials of the National Institute of Occupational Safety and Health, for the purpose of conducting an epidemiological study of workers at DOE's Portsmouth Gaseous Diffusion Plant at Piketon, Ohio. Additional routine uses 7, 8, and 9 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name and social security number.

Safeguards: Records are maintained in alarm storage areas in locked file cabinets. Access is limited to individuals having a need-to-know.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Field Offices.

The managers and directors of field locations at Oak Ridge and Richland Operations Offices are the system managers for their respective portions of this system.

Notification procedure:

a. Request by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, at the appropriate address identified as items 12 and 15 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Clearance histories of Manhattan Engineering District, Atomic Energy Commission, Energy Research and Development Administration, and DOE employees; access permittees' security clearances; and reports from investigative agencies.

Systems exempted from certain provisions of the act:

None.

DOE-37

System name:

Equal Employment Opportunity Complaint Files.

Security classification:

Unclassified.

System location:

All DOE locations listed in Appendix A, and the following additional location: U.S. Department of Energy, Brookhaven Area Office, Upton, NY 11973.

Categories of individuals covered by the system.

Each DOE employee, or applicant for employment who in accordance with the provisions of Federal Personnel Manual No. 1613, has filed a written complaint of discrimination based on race, age, sex, color, religion, national origin, and physical or mental handicap with DOE or with another Federal agency which has referred the complaint to DOE.

Categories of records in the system:

Name, address, job title, wage rate, earnings, dates of employment, data on applications for employment race, sex, work history, the complaint, investigation reports (with affidavits), Equal Opportunity Officer disposition with respect to complaint, and agency head decision regarding complaint.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Equal Employment Opportunity Act of 1972; Federal Personnel Manual No. 1613.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Equal Employment Opportunity Commission—To process discrimination complaints in accordance with Federal regulations.

Department of Justice—To represent DOE in cases that have entered litigation.

Merit Systems Protection Board—To process cases of adverse actions which include equal employment opportunity aspects.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name of complainant.

Safeguards:

Records are located in a combination safe with access limited to those whose official duties require access.

Retention and disposal: Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Equal Opportunity, MA-9, 1000 Independence Avenue SW., Washington, D.C. 20585.

Field Offices:

The managers and directors of field locations 2 through 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, co-workers, and other employees.

Systems exempted from certain provisions of the act:

None.

DOE-38

System name:

Occupational and Industrial Accident Records.

Security classification:

Unclassified.

System location:

All DOE locations listed in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Brookhaven Area Office, Upton, NY 11973
U.S. Department of Energy, Carbondale Mining Research Center, P.O. Box 2587, Carbondale, IL 62901
U.S. Department of Energy, Clinch River Breeder Reactor Plant Project, P.O. Box U, Oak Ridge, TN 37830
U.S. Department of Energy, Dayton Area Office, P.O. Box 66, Miamisburg, OH 45342
U.S. Department of Energy, Environmental Measurements Laboratory, 376 Hudson Street, New York, NY 10014
U.S. Department of Energy, Idaho Branch Office, P.O. Box 2469, Idaho Falls, ID 83401
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, Kansas City, MO 64141
U.S. Department of Energy, Knolls Atomic Power Laboratory, P.O. Box 1072, Schnectady, NY 12301
U.S. Department of Energy, Los Alamos Area Office, P.O. Box 5800, Los Alamos, NM 87544
U.S. Department of Energy, Naval Petroleum Reserve, P.O. Box 11, Tupman, CA 93276
U.S. Department of Energy, Nevada Test Site, Mercury, NV 89023
U.S. Department of Energy, New Brunswick Laboratory, D-350, 9800 S. Cass Avenue, Argonne, IL 60439
U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, St. Petersburg, FL 33733
U.S. Department of Energy, Puerto Rico Area Office, P.O. Box BB, San Juan, PR 00935
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401
U.S. Department of Energy, Sandia Area Office, P.O. Box 5800, Albuquerque, NM 87115
U.S. Department of Energy, Shippingport Branch Office, P.O. Box 11, Shippingport, PA 15077
U.S. Department of Energy, Strategic Petroleum Reserve, 900 Commerce Road, East, New Orleans, LA 70123

Categories of individuals covered by the system:

DOE employees, contractor employees, and any other persons having access to DOE facilities who have had accidents on DOE facilities. Also individuals involved in accidents with employees or contractor employees or other persons having access to DOE facilities.

Categories of records in the system:

Accident/incident information, occupational injury and illness experience property damage experience, and motor vehicle accidents.

Authority for maintenance of the system:

5 U.S.C 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Federal Tort Claims Act, 28 U.S.C. 2671-2680; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240-243; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Physicians:

For purpose of treating patients.

Property owners and insurance companies: For purpose of processing insurance claims.

DOE contractors and consultants, state departments of labor and industries and other state agencies, U.S. Department of Labor, National Drivers Registry, and Department of Transportation: For purposes of processing insurance claims and accident reporting.

Pertinent provisions of 29 CFR 1904.7 apply to the records maintained in this system of records.

Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape, punched cards, paper records, and microfilm.

Retrievability:

By name and by alphabetic, numeric, or alphanumeric code.

Safeguards:

Records are maintained in locked file cabinets, locked safes, guarded areas, and secured buildings with access limited to personnel with a need-to-know.

Retention and disposal:

Records retention and disposal authorities are contained in DOE are 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Deputy Assistant Secretary for. Environment, Safety and Health, EP-30, Washington, DC 20585.

Field Offices:

The managers and directors of field locations 2 through 21 and the additional locations listed above under System location are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified items 1 through 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, and/or birth date, geographic location of the accident, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, the individual's supervisor, medical officers or personal physicians, accident investigators, investigation boards, investigating law enforcement officers, the National Drivers Registry, and previous employer records.

Systems exempted from certain provisions of the act:

None.

DOE-39

System name:

Labor Standards Complaints and Grievances.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 11, 12, 14, 15, 16, 17, and 18 in Appendix A, and the following additional location: U.S. Department of Energy, Brookhaven National Laboratory Industrial Medicine Division, Upton, NY 11973.

Categories of individuals covered by the system:

Current and former contractor employees who have filed complaints and grievances against contractors and labor unions.

Categories of records in the system:

Complaints against contractors and labor unions.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Department of Labor—contract labor standards enforcement.

Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name and case number.

Safeguards:

Records are maintained in locked files.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial Relations, MA-70, Washington, DC 20585

Field Offices:

The managers and directors of field locations 3, 6, 8, 11, 12, 14 through 18 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 11, 12, 14 through 18 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals, contractors, and members of the public.

Systems exempted from certain provisions of the act: None.

DOE-40

System name:

Contractor Employees Insurance Claims.

Security classification:

Unclassified.

System location:

The locations listed in items 1, 3, 6, 8, 11, 12, and 14 through 18 in Appendix A.

Categories of individuals covered by the system:

Claimants under worker's compensation insurance and third-party claimants against DOE contractors.

Categories of records in the system:

Accident reports, physician statements, pictures, maps, sketches, claimant and witness statements, doctor and hospital bills, reports from engineering firms, and claims activity reports.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Insurance companies—in administering claims against DOE Contractors and DOE.
State and local agencies—for consideration of insurance claims.
Physicians—for claim evaluations.
Lawyers—for claim evaluations.
State industrial commissions—for claim evaluations.
Claims-adjustment services firms—for claim evaluations.
The additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records and computer printouts.

Retrievability: By contractor, name and claim number.

Safeguards:

Records are maintained in a locked building.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Industrial, Relations, MA-70, Washington, DC 20585.

Field offices: The managers and directors of field locations 3, 6, 8, 11, 12, and 14 through 18 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items, 1, 3, 6, 8, 11, 12, and 14 through 18, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Claimants, witnesses, and insurance company claim files.

Systems exempted from certain provisions of the act:

None.

DOE-41

System name:

Legal Files (Claims, Litigations, Criminal Violations, Patents, and Others).

Security classification:

Unclassified.

System location:

All DOE locations listed in Appendix A.

Categories of individuals covered by the system:

DOE related debtors and bankrupts; claimants with respect to radiation, tort, patent, contract employee compensation and workmen's compensation matters; injured parties, litigants and complaints generally; inventors; those against whom claims have been filed; persons suspected of violating DOE regulations and criminal laws.

Categories of records in the system:

Claims relating to personal injury, radiation injury, property damage and other tort matters, and contract matters; litigation records, accident reports; addendums to inspection reports; employment records; consultants agreements; cases alleging discrimination; conflict of interest files; criminal litigation records; Personal Security Review Board cases; medical records; photographs; telephone records; investigations; government orders; inventions; and correspondence and other data relating to the foregoing.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Justice; GAO; state and local law enforcement agencies; civil and criminal courts; administrative arbitrators; litigants; investigators; Congress; attorneys; physicians; consultants; insurance carriers—for appraisal, evaluation, settlement and denial of claims and other matters and as a basis for administrative and legal action and all matters pertaining thereto, including civil and criminal remedies. The additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name and control card locator.

Safeguards:

Records are maintained in vaults and locked safes (under surveillance during business hours).

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Office of General Counsel, GC-41, 1000 Independence Avenue, SW., Washington, DC 20585.

Field Offices: The regional counsels are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals, inspection reports, other agencies, Office of General Counsel attorneys, other agency officers and staff, contractors, investigators, and auditors.

Systems exempted from certain provisions of the act:

This system has been exempted under subsection (k)(1), (k)(2), and (k)(5) of the Privacy Act, to the extent that information within the System meets the criteria of those subsections of the Act. Such information has been exempted from the provisions of subsections (c)(3), (d), and (e)(1) of the Act; see the DOE Privacy Act regulations at (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

DOE–42

System name:

Personnel Security Clearance Index.

Security classification:

Classified and unclassified material.

System location:

The locations listed as items 1, 3, 5, 6, 8, 11, 12, 14 through 18 in Appendix A.

Categories of individuals covered by the system:

Employees and applicants for employment with DOE and DOE contractors and access permittees for whom access authorizations (clearances) have been initiated, granted, and/or terminated.

Categories of records in the system:

Records identifying history and status or processed access authorizations (clearances).

Category A—Personnel security index: Name, position, organization, social security number, and date and place of birth. May also contain position sensitivity description, date of appointment, date and type of clearance, basis of clearance, briefing and debriefing data, folder was retired, and date folder was destroyed.

Category B—Automatic data processing index: Name and social security number. Contains references to organization, position sensitivity, access clearances issued, security briefing data, date of background investigation, date of security interview, and existence of personnel security folder of index card.

Category C—Identification pass index: Name, social security number, location, issue date and expiration date of passes issued to individuals who hold valid, permanent identification passes for DOE Headquarters offices, and a photograph of the individual.

Category D—DOE credential index: Name, organization, location and position of individuals who hold DOE credentials.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorties incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Executive Order 10450 and 9830; Federal Personnel Manual, Chapters 731 and 736.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In investigations concerning DOE personnel, contractors, and access permittees, with regard to loyalty, classified access, and suitability determinations. Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, data cells, magnetic tape, punched cards, and disk packs.

Retrievability:

By name and access authorization (clearance) number.

Safeguards:

Access is limited to employees having a need-to-know. Records are stored in secured building subject to guard patrols and/or alarm protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2 "Record Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices:

The managers and directors of field locations 3, 5, 6, 8, 11, 12, 14 through 18 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 5, 6, 8, 11, 12, 14 through 18 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required indentifying information: Complete name, date of birth, social security number, and dates of employment.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Personnel Security Questionnaire and fingerprint card executed by the subject individual, other sources contacted during security investigaton, and DOE Security Offices.

Systems exempted from certain provisions of the act: The Secretary has exempted this system from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k) (1), (2) and (5).

DOE–43

System name:

Personnel Security Clearance Files.

Security classification:

Classified and unclassified materials.

System location:

The locations listed as items 1, 3, 5, 6, 8, 11, 12, 14 through 18 and 21, in Appendix A of 47 FR 14284, dated April 2, 1982.

Categories of individuals covered by the system:

Employees and applicants for employment with DOE and DOE contractors; consultants, other individuals requiring access to classified information and facilities; access permittees who are authorized access.

Categories of records in the system:

Results of investigations concerning individuals processed for access authorization (clearances).

Personnel security folders:

Name, grade, organization, date and place of birth, and social security number. Contains requests for security clearance, OPM Standard Forms 85, 86, 87, and 171, and OS Forms DPS 24 and 24A; results of national agency check and inquiries and a record of authorized individuals who have had access to the folder. May also contain action checklist, termination checkout sheet, OPM Standard Forms 50, 52, or 73 as well as notification to Office of Personnel Management of agency action on case.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Executive Order 10450 and 9830; Federal Personnel Manual, chapters 731 and 736.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record from this system may be disclosed as a routine use to competent medical authority to determine whether an individual has an illness or mental condition which causes, or may cause, a significant defect in the judgment or reliability of this individual.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

The additional routine uses listed in Appendix B of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, disc, magnetic tape, computer printouts and microfishe.

Retrievability:

By name and numeric code.

Safeguards:

Access is limited to employees having a need-to-know. Records are stored in locked file cabinets in locked buildings.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 5, 6, 8, 11, 12, 14 through 18 and 21 and Appendix A of 47 FR 14284, dated April 2, 1982, listed above are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Chief, Freedom of Information and Privacy Acts, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 5, 6, 8, 11, 12, 14 through 18 in Appendix A of 47 FR 14284, dated April 2, 1982, in accordance with DOE's Privacy Act regulations (10 CFR part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, date of birth, social security number, clearance processing location, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Personnel Security Questionnaire and fingerprint card executed by the subject individual; background investigation reports by Federal Bureau of Investigation, Office of Personnel Management, and other Government agencies conducting background investigations; summaries and transcripts of interviews with the individual; interrogatory letters to the individual; local police department reports; and security infraction reports received from the individual's supervisor.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsection 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k) (1), (2) and (5). The DOE exemption regulation appears at 10 CFR 1008.12(b), 45 FR 61576, September 16, 1980.

DOE-44

System name:

Special Access Authorization for Categories of Classified Information.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 9, 11, 12, 15, 16, and 17 in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Dayton Area Office, P.O. Box 66, Miamisburg, OH 45342
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, Kansas City, MO 64141
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, St. Petersburg, FL 33733
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 298, Golden, CO 80401
U.S. Department of Energy, Sandia Area Office, P.O. Box 5400, Albuquerque, NM 87115

Categories of individuals covered by the system:

Individuals authorized to access special categories of information and compartmentalized DOE facilities and/or areas.

Categories of records in the system:

Letters and memoranda of authorization to access special categories of classified information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

DOE contractors—for purposes of performing contractual functions. NATO, National Security Agency, and CIA—for determining individuals who have access to classified information generated by these agencies. The additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files; also magnetic tape (at Headquarters).

Retrievability:

By name.

Safeguards:

Access is limited to employees with a need-to-know. Records are stored in security areas under either guard or alarm protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 6, 8, 9, 11, 12, 15, 16, and 17 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 9, 11, 12, 15, 16, and 17 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Notification procedure: Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Individual reports from Federal investigation agencies; letters and/or plans from DOE operating offices, operating divisions, and contractor facilities.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsections of 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k) (1), (2) and (5). The DOE exemption regulation appears at 10 CFR 1008.12(b), 45 FR 61576, 61583, September 16, 1980.

DOE-45

System name:

Weapon Data Access Control System.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 11, 12, 13, 16, and 17, in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Panter Point, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, Kansas City, MO 64141

U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, St. Petersburg, FL 33733
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401
U.S. Department of Energy, Sandia Area Office, P.O. Box 5406, Albuquerque, NM 87115

Categories of individuals covered by the system:

DOE, DOD, and other Government agency empoloyees, Government contractors and consultants requiring access to classified weapons data and/or DOE nuclear weapons program facilities.

Categories of records in the system:

Name, social security number, date of birth, citizenship, employer, type of clearance, number and date of clearance, categories of information requested and authorized, locations to be visited and dates of visit, purpose of visit, point of contact, and Government agency certifying need-to-know.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

DOE and DOD contractors—to determine whether persons have appropriate security clearances to gain access to classified weapons data. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Microfiche, paper, magnetic tapes, and computer printouts.

Retrievability:

By name and by specific weapon program.

Safeguards:

Records are maintained in buildings with controlled access.

Retention and disposal:

Headquarters master copy of visit request is retained for 3 years. Records retention and disposal authorities are contained in DOE 1324.2, Records Disposition. Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Military Application, DP-22, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 11, 12, 16, and 17 in Appendix A, and additional locations listed are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 11, 12, 16 and 17 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individuals, Government agencies, and Government contractors.

Systems exempted from certain provisions of the act:

None.

DOE–46

System name:

Clearance Board Cases.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 6, and 17.

Categories of individuals covered by the system:

DOE employees, access permittees, consultants and prospective employees, and contractors and contractor access permittees.

Categories of records in the system:

Results of investigations concerning individuals processed for access authorizations (clearances).

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Personnel involved in administrative review-information used for reference during review board hearings. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name.

Safeguards:

Access is limited to employees having a need-to-know. Records are stored in security areas under guard and/or guard protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 6 and 17 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 6, and 17 in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information. Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Personnel Security Questionnaire and Fingerprint Card executed by the individual; background investigation reports by Federal Bureau of Investigation, Office of Personnel Management and other Government agencies; summaries and transcripts of interviews with the individual; transcripts of Administrative Review Board hearings with the individual; correspondence to the individual concerning administrative processing of clearance action; and local and state police agency reports.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsections (c)(3), (d), (e)(1), of 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k) (1), (2) and (5).

DOE–47

System name:

Security Investigations.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 15, 16, 17, and 21 in Appendix A, and the following additional location: U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544.

Categories of individuals covered by the system:

DOE employees, specifically including employees of the Federal Energy Regulatory Commission; contractor employees, private citizens.

Categories of records in the system:

Reports to determine cause and circumstance of accidents and/or incidents.

Authority for maintenance of the system:

5 U.S.C 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; Executive Orders 10450 and 9830; Federal Personnel Manual, Chapters 731 and 736.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Property Owners and Insurance Companies—Insurance claims. DOE Fire and Safety and Administrative Personnel—Evaluation of fire and safety incidents. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Access is limited to individuals having a need-to-know. Records are maintained in locked and guarded buildings.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 6, 8, 15, 16, 17, and 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 15, 16, 17, and 21 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, date of birth, employer, dates of employment, and social security number

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, other sources contacted during security investigations, and official records.

Systems exempted from certain provisions of the act:

Internal memoranda specifically identified as OS Forms DPS 24 and 24A are exempted from certain of the Privacy Act's requirements, in accordance with 5 U.S.C. 552a(k)(2), (5). Additionally, with regard to certain records pursuant to 5 U.S.C. 552a(k)(5), this system is exempt from 5 U.S.C. 552a(d), to the extent that disclosure would reveal a source who furnished information under an express promise of confidentiality, or prior to September 27, 1975, under an express or implied promise of confidentiality.

DOE–48

System name:

Security Education and/or Infraction Reports.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 12, 14 through 18 in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Dayton Area Office, P.O. Box 66, Miamisburg, OH 45342
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, Kansas City, MO 64141
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, St. Peterburg, FL 33733
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401

Categories of individuals covered by the system:

DOE employees having access authorization (clearance) to classified information and/or materials.

Categories of records in the system:

Records of security education lectures, and investigative and summary reports of security infraction incidents.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name.

Safeguards:

Access is limited to employees with a need-to-know. Records are stored in security areas.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 8, 11, 12, and 14 through 18 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 9, 12, 13, 15, 16, 18, and 19 in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Training officers; security personnel; individual's supervisor; and local, state, and Federal authorities.

Systems exempted from certain provisions of the act:

None.

DOE–49

System name:

Security Correspondence File.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Assistant Secretary for Defense Programs, DP-1, Washington, DC 20545.

Categories of individuals covered by the system:

Individuals of interest to DOE officials.

Categories of records in the system:

Correspondence received from individuals, articles from news media, and informational reports.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name.

Safeguards:

Access is limited to individuals having a need-to-know. Records are stored in security area under guard protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfil, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, official records, and articles from news media.

Systems exempted from certain provisions of the act:

The Secretary has exempted this system from subsections (c)(3), (d), (e)(1), of 5 U.S.C. 552a under the Privacy Act of 1974. This exemption applies only to information in this system of records which is exempt pursuant to 5 U.S.C. 552a(k)(1), (2), and (5). See DOE regulation at 10 CFR 1008.12(b), 45 FR 61576, 61583, September 16, 1980.

DOE-50

System name:

Personnel Assurance Program Records.

Security classification:

Unclassified.

System location:

The locations listed as items 3, 11, and 16 in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79605

U.S. Department of Energy, Sandia Area Office, P.O. Box 5800, Albuquerque, NM 87115

Categories of individuals covered by the system:

DOE or contractor employees performing work which affords both technical knowledge and access to assembled nuclear explosives or certain nuclear weapon components.

Categories of records in the system:

Results of medical examination, employment review, credit/consumer reports; data pertaining to access authorizations (clearances); and training records pertaining to individual's duties involving assembled nuclear explosives or certain nuclear weapon components.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name.

Safeguards:

Access is limited to employees having a need-to-know. Records are stored in locked file cabinets in secured buildings.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Filed Offices: The managers and directors of field locations 3, 11, and 16 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

A. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, at the appropriate address identified as items 3, 11, and 16 in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Medical records, occupational training records, and personnel security records.

Systems exempted from certain provisions of the act:

None.

DOE-51

System name:

Employee and Visitor Access Control Records.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 7, 8, 11, 12, 14 through 18 in Appendix A, and the following additional locations:

U.S. Department of Energy, Amarillo Area Office, Pantex Plant, P.O. Box 1086, Amarillo, TX 79105
U.S. Department of Energy, Dayton Junction Office, P.O. Box 66, Miamisburg, OH 45342
U.S. Department of Energy, Kansas City Area Office, P.O. Box 202, Kansas City MO 64141
U.S. Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87544
U.S. Department of Energy, Pinellas Area Office, P.O. Box 11500, St. Petersburg, FL 33733
U.S. Department of Energy, Rocky Flats Area Office, P.O. Box 928, Golden, CO 80401
U.S. Department of Energy, Sandia Area Office, P.O. Box 5400, Albuquerque, NM 87115

Categories of individuals covered by the system:

Individuals visiting DOE facilities, DOE employees seeking access to DOE facilities and classified records.

Categories of records in the system:

Records of individuals visiting DOE and employee identification files (including photographs) maintained for access purposes.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

DOE contractors—to control access to classified information and areas. Department of Defense contractors—to authorize access to classified information and areas. Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files and microfiche.

Retrievability:

By name.

Safeguards:

Access is limited to employees with a need-to-know. Records are stored in guarded security areas.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors at the locations where the records are maintained are the system managers for their respective portions of this system.

Notification procedure:

a. Request by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 7, 8, 11, 12, and 14 through 18 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, Department of Defense, DOE offices and contractors, National Aeronautics and Space Administration, and other Government agencies.

Systems exempted from certain provisions of the act:

None.

DOE-52

System name:

Aliens Visits and Participation.

Security classification:

Unclassified.

System location:

The locations listed as items 1, 3, 6, 8, 11, 12, 13, 15, 16, and 17 in Appendix A, and the following additional location: U.S. Department of Energy, Dayton Area Office, P.O. Box 66, Miamisburg, OH 45342.

Categories of individuals covered by the system:

Resident and nonresident aliens who visit and participate at DOE offices and contractor facilities.

Categories of records in the system:

Federal agency checks and DOE records regarding alien visits and participation at DOE offices and/or contractor facilities.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Engery Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

By name and visit number.

Safeguards:

Access is limited to employees with a need-to-know. Records are stored in security areas under guard and/or alarm protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Field Offices: The managers and directors of field locations 3, 6, 8, 11, 12, 13, 15, 16, and 17 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1, 3, 6, 8, 11, 12, 13, 15, 16, and 17 in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Full name, nationality, and date and location of visit.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual; reports from Federal investigation agencies; and letters and/or plans from DOE operating offices, operating divisions, and contractor facilities.

Systems exempted from certain provisions of the act:

None.

DOE-53

System name:

Access Authorization for ADP Equipment.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, ADP Services Staff, EI-10, Energy Information Administration, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

Users of the Energy Information Administration computer system, including DOE employees and contractor employees (including employees and contractor employees of the Federal Energy Regulatory Commission), and other authorized users of the system.

Categories of records in the system:

Name, user identification number, office address and telephone number, organizational code, computer usage figures, data accessed, and other management-related information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; OMB Circular A-71; Department of Commerce Federal Information Processing Standards Publications (FIPS PUBS) on computer security; GSA Procurement Regulations Amendment 155, adding Section 1-1.327.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used by the ADP Services Staff to control and manage Energy Information Administration computer resources and to insure that sensitive information is properly safeguarded. Additional routine uses as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Disk, computer tape, and printouts.

Retrievability:

Name, user identification number, and project number.

Safeguards:

Records are maintained in the Forrestal Building with 24-hour guard service. Access is limited to authorized personnel on a need-to-know basis.

Retention and disposal:

Updated on a regular basis. Older records are destroyed.

System manager(s) and address:

U.S. Department of Energy, Director ADP Services Staff, EI-10, Energy Information Administration, Washington, DC 20585.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, with some information assigned by the ADP Services Staff.

Systems exempted from certain provisions of the act:

None.

DOE–54

System name:

Investigative Files of Inspector General.

Security classification:

Generally unclassified. Classified material is sometimes maintained.

System location:

All DOE locations listed in Appendix A.

Categories of individuals covered by the system:

Current and former DOE and contractor employees and applicants for employment who are subjects of investigations, and individuals involved in miscellaneous investigative matters.

Categories of records in the system:

Investigative reports, and files, including interview transcripts, memoranda, and letters.

Authority for maintenance of the system:

5 U.S.C. 301; section 208 of the Department of Energy Organization Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

This system represents that portion of the files of the Inspector General which covers IG investigations of individuals. The records are used in IG investigations and for the referral of violations of law to law enforcement authorities. Records may be disclosed in accordance with the routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name, case number, and title of investigative report.

Safeguards:

Information is kept in locked General Services Administration approved Class 6 security containers. Access is on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Inspector General, IG-1, Washington, D.C. 20585.

Field Offices: The representatives of the IG of field locations 2 through 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information Acts Activities, Department of Energy, Washington, D.C. 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such records may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, complaints, witnesses, respondents, confidential sources, agency files and records, and official Federal, state, or local records.

Systems exempted from certain provisions of the act:

Under subsection (j)(2) of the Privacy Act, this system has been exempted from subsections (c)(3) and (4), (d)(1)-(4), (e)(1)-(3), (5), and (8), and (g) of the Act; see DOE's Privacy Act regulation at 10 CFR 1008.12(a), 45 FR 61576, 61582, September 16, 1980. This exemption applies to information in the system that relates to criminal law enforcement and meets the criteria of the (j)(2) exemption. Under Subsections (k)(1), (2), and (5) of the Act, this system has been exempted from subsections (c)(3), (d), and (e)(1) of the Act; see DOE's Privacy Act regulation at 10 CFR 1008.12(b). This exemption applies to information in the system that meets the criteria of the (k)(2) and (5) exemptions.

DOE–55

System name:

Freedom of Information and Privacy Act Requests for Records.

Security classification:

Unclassified.

System location:

All DOE locations listed in Appendix A, and the following additional location: U.S. Department of Energy, Brookhaven National Laboratory, Industrial Medicine Division, Upton, NY 11973.

Categories of individuals covered by the system:

Individuals requesting copies of records from DOE under the provisions of the Freedom of Information Act and under the Privacy Act of 1974.

Categories of records in the system:

Name, address, and telephone number; description or identification of records requested, furnished, and/or denied; dates of request and responses; amount of fees paid, if any; payment delinquencies, if any; final determinations of appeals or denials; and the names and titles of authorizing officials, and officials responsible for denials. Copies of requested records are not maintained in this system.

Authority for maintenance of the system:

Freedom of Information Acts; (5 U.S.C. 552) Privacy Act of 1974; (5 U.S.C. 552a); 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual report to the Congress under section (d) of the Freedom of Information Act. Additional routine uses listed in Appendix B.

These records are available for public inspection at all times.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and microfiche.

Retrievability:

By name of requester.

Safeguards:

Records are located in lockable metal file cabinets with access limited to those whose official duties require access. Indices of records held are available for public inspection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2 "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Freedom of Information and Privacy Acts Activities, MA-43, Washington, DC 20585.

Field Offices: The Privacy Act Officers of field locations 2 through 21 in Appendix A, are the system managers for their respective portions of this system.

Notification procedure: a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 2 through 21 in Appendix A. in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-56

System name:

Congressional Constituent Inquiries.

Security classification:

Unclassified.

System location:

All DOE locations (except item 11) in Appendix A, and the following additional location: U.S. Department of Energy, Brookhaven National Laboratory, Industrial Medicine Division, Upton, NY 11973.

Categories of individuals covered by the system:

Individuals on whose behalf there have been Congressional inquiries and members of Congress making requests on behalf of their constituents.

Categories of records in the system:

Name and address of constituent and date of letter by a Senator or member of Congress on behalf of the constituent; materials forwarded by a member of Congress; and DOE response.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are used to record Congressional inquiries on behalf of constituents, to ensure proper document control of the response, and to reference DOE responses to such inquiries. Additional routine uses 4, 7, 9, and 10 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name of constituent and name of member of Congress.

Safeguards:

Records are located in lockable metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2 "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

The head of each office which maintains such records.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, (Headquarters) or the Privacy Act Officer at the appropriate address identified as items 2 through 21 (except item 11) in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual, member of Congress, and drafter of DOE response.

Systems exempted from certain provisions of the act:

None.

DOE-57

System name:

Congressional Profiles.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Office of Congressional Affairs, CP-30, Washington, D.C. 20585.

Categories of individuals covered by the system:

Current members of Congress.

Categories of records in the system:

Name, picture (taken from Congressional Pictorial Directory), personal background (as developed from published sources), demographic information by state or district, committee assignments, and energy interests (as developed from published sources, information from members's office, abstracts from Congressional Record, committee hearings and other public sources).

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures to Office of Congressional Affairs personnel and senior Departmental officials for informational purposes in the ordinary course of business.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records and computer printouts.

Retrievability:

Name, committee membership, state, region, and energy issue topic.

Safeguards:

Records are maintained in Federal building with 24-hour guard service. Access is limited to authorized personnel on a need-to-know basis.

Retention and disposal:

Records are retained as long as the subject individual remains a member of Congress.

System manager(s) and address:

U.S. Department of Energy, Deputy Assistant Secretary, Office of Congressional Affairs, CP-30, Washington, D.C. 20585.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, D.C. 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Published sources, committee hearings, and the members' offices.

Systems exempted from certain provisions of the act:

None.

DOE-58

System name:

General Correspondence Files.

Security classification:

Unclassified.

System location:

All DOE locations listed and the following additional location: U.S. Department of Energy, Brookhaven National Laboratory, Industrial Medicine Division, Upton, NY 11973.

Categories of individuals covered by the system:

Individuals communicating by letter with DOE.

Categories of records in the system:

Name, address of correspondent, and copies of the agency response. This is the portion of DOE's correspondence files that relates to correspondence with individuals.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by DOE personnel to record written communications from correspondents outside of DOE, to ensure proper document control of the DOE response, and as a reference for such response. Additional routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are located in lockable metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2 "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

The head of each office which maintains such records.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21, in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals and drafter of DOE response.

Systems exempted from certain provisions of the act:

None.

DOE-59

System name:

Mailing Lists for Requesters of Energy Related Information.

Security classification:

Unclassified.

System location:

All DOE locations listed in Appendix A.

Categories of individuals covered by the system:

Persons requesting energy related information.

Categories of records in the system:

Each of DOE's mailing lists contains the name and address of the subject individual; some mailing lists may also indicate specific interests of or publications requested by the individual.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are released to contractors handling bulk and single copy mailings for DOE. Names and addresses of such contractors may be requested from the appropriate system manager. Additional routine uses 8 and 9 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, punched cards, magnetic tape and disk, and microfiche.

Retrievability:

Records are retrieved by record identification code number; by type of information being disseminated (e.g., solar, nuclear, etc); or by the occupation, profession, or other stated interest of an individual.

Safeguards:

Access is limited to employees with a need-to-know in the performance of their duties. Records are maintained in buildings with controlled access. Computer information is controlled through established DOE computer center procedures of personnel screening and physical security.

Retention and disposal:

The lists are cotinually updated.

best copy available

System manager(s) and address:

Headquarters: U.S. Department of Energy, Director, Printing and Graphics, MA-45, Washington, DC 20585.

Field Offices: The managers and directors of field locations 2 through 21 in Appendix A are system managers for their respective portions of this system.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21 in Appendix A, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) or organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individual, generally as the result of a request for information by that individual.

Systems exempted from certain provisions of the act:

None.

DOE-61

System name:

Census of High Energy Physicists.

Security classification:

System location:

U.S. Department of Energy, Office of Energy Research, ER-1, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

Scientists and graduate students in the field of high energy physics.

Categories of records in the system:

Name, date of birth, education, employment history, research support agencies, and technical specialities.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Physicists, research organizations and various Government organizations engaged in physics research—to obtain information on individuals and organizations engaged in high energy physics research. Additional routine uses 2, 3, 4, 6, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and disk.

Retrievability:

By name, employer, or any other combination of data.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Associate Director, High Energy and Nuclear Physics, ER-20, Washington, DC 20545.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

High energy physics research group leaders and laboratory directors. Other personnel in the field of high energy physics.

Systems exempted from certain provisions of the act: None.

DOE-62

System name:

Historical Files—Published Information Concerning Selected Persons in the Energy Field.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, History Division, Office of the Executive Secretariat, 1000 Independence Avenue, SW., Washington, DC 20585.

Categories of individuals covered by the system:

Selected senior staff officials of the Manhattan Project, Atomic Energy Commission, Nuclear Regulatory Commission, Energy Research and Development Administration, DOE, and other selected individuals prominent in the energy field.

Categories of records in the system:

Newspaper and magazine articles, press releases, announcements, and speeches.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used to prepare histories in responding to informational inquiries from members of the public including the media, and in responding to requests from DOE officials.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in a locked vault with access dependent upon the permission of the Historian's Office.

Retention and disposal:

Records are retained indefinitely with no plans for their disposal.

System manager(s) and address:

U.S. Department of Energy, History Division, Office of the Executive Secretariat, 1000 Independence Avenue, SW., Washington, DC 20585.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

DOE press releases, DOE News Clips (a daily compilation of energy related newspaper and magazine articles), and other published sources.

Systems exempted from certain provisions of the act: None.

DOE-64

System name:

Low-Income Weatherization Program Home Report Records.

Security classification:

Unclassified.

System location:

For each state participating in this program, the records will be located in the community action agency designated by the state to implement the program. A list of participating states and community action agencies is available from the Director, Office of Weatherization Assistance, Office of Conservation and Renewable Energy, Washington, DC 20585.

Categories of individuals covered by the system:

All persons eligible for weatherization assistance participating in DOE-sponsored weatherization programs.

Categories of records in the system:

Information about weatherization program participants, including name, address, annual income; whether participant receives public assistance; whether the participant owns or rents; and number of elderly, handicapped, native American, migrants, and total members in a participant's household; informaton about the characteristics of a participant's dwelling, including fuel use data; before and after information about improvements to the dwelling to be undertaken in connection with the program and information about the costs of such improvements; information about the hours and source of labor involved in making the improvements.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Title III of the Energy Conservation and Production Act, Pub. L. 94-305, as amended by Title II, National Energy Conservation Policy Act, Pub. L. 95-619, and Title V of the Energy Security Act, Pub. L. 96-294; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The participating community action agencies will use the records maintained for the following purposes: Determination of whether and which improvements should be undertaken; determination of correlation of the demographic and building characteristics to the quantity, quality, and cost of the work undertaken to enable the DOE to monitor the effectiveness of the program.

The DOE will use the record for the following purposes: To assure the effective provisions of weatherization assistance for the dwelling units of low-income persons; to carry out periodic evaluations of the program.

Additional routine uses 1, 4, 7, 8, and 9 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

The contracts with the community action agencies stipulate that the community action agencies will exercise all diligence in controlling access to the records maintained under this program and that only authorized members of the community action agency and other routine users will be allowed to use the data. All personnel that handle or process the data are to be instructed and cautioned as to the confidentiality of the data and its proper disposition.

Retention and disposal:

Records will be retention for 3 years or until the completion of the low-income weatherization program. Records retention and disposal authorities are contained in "DOE 1324.2, Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

For each state participating in the program, the system manager will be head of the community action agency designated by the State to implement the program. A list of participating states and community action agencies is available from: U.S. Department of Energy, Director, Office of Weatherization Assistance, Office of Conservation and Renewable Energy, CE-25, Washington, DC 20585.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required indentifying information. Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The subject individuals and those authorized by the individuals to furnish information.

Systems exempted from certain provisions of the act: None.

DOE-65

System name:

Energy Extension Service Records.

Subsystem A:

Energy Extension Service Client Names.

Subsystem B:

Energy Extension Service—Listing of State EES Employees, Contractors, and Volunteers.

Security classification:

Subsystems A and B; Unclassified.

System location:

Subsystem A: For each state or territory participating in this program, the records will be located in the office(s) designated by the state or territory to implement the program. A list of participating states and territories and the corresponding offices implementing the program is available from the Evaluation Coordinator, Energy Extension Service, Office of Conservation and Renewable Energy, Washington, DC 20585.

Subsystem B: Office of the Evaluation Coordinator, Energy Extension Service, Office of Conservation and Renewable Energy.

Categories of individuals covered by the system:

Subsystem A: State Energy Extension Service employees, contractors, and volunteers participating in the pilot projects implementing the Energy Extension Service program

Categories of records in the system:

Subsystem A: Names, addresses, and telephone numbers.

Subsystem B: Names, addresses, telephone numbers, and project roles.

Authority for maintenance of the system:

Subsystems A and B: 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009; National Energy Extension Service Act (Title V of the Energy Research and Development Administration Authorization Act of 1977).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Subsystem A:

States: Use the records for the administration of the subject programs. Also will, in some cases, use the DOE evaluations derived from the records (described immediately below) for evaluation and administration of the subject programs.

DOE: Client names, addresses, and telephone numbers will be used to select a sample for a telephone survey of users of the Energy Extension Service. The survey will provide information on client evaluation of the service and on energy conserving activities which clients may have taken as a result of the availability of the service. The prime contractor for the survey is ICF, Inc., which will receive the requisite records from the State EES's and, in turn, make them available to Westat, Inc., the subcontractor which will actually perform the evaluation. DOE will receive only information which is distinguishable between persons, but which is not identifiable to specific persons. However, DOE anticipates that it will retain the capability to disclose to a participating state not only the evaluation but also the corresponding client identities for clients of that particular state.

Subsystem B:

DOE: Uses the records to evaluate the implementation of the program by participating states and territories.

Subsystems A and B:

The additional routine uses 1, 2, 3, 4, 7, 8, and 9 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Subsystems A and B: Paper records.

Retrievability:

Subsystems A and B: By name.

Safeguards:

Subsystem A: The agreements with the states stipulate that the offices maintaining the records will exercise all diligence in controlling access to them with only authorized personnel and routine users allowed access. All personnel who handle or process these records are instructed and cautioned as to the confidentiality of the data and its proper disposition.

Subsystem B: Records are retained in lockable metal file cabinets with access limited to authorized personnel on a need-to-know basis.

Retention and disposal:

Subsystem A:

The records will be retained as long as they are useful in implementing the program.

Subsystem B:

The records will be retained only for the time necessary to evaluate the states' implementation of the Energy Extension Service pilot projects.

System manager(s) and address:

Subsystems A and B:

U.S. Department of Energy, Evaluation Coordinator, Energy Extension Service, Office of Conservation and Renewable Energy, Washington, DC 20585.

Notification procedure:

Subsystems A and B: Requests by an individual to determine if a system of records contains informatin about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subsystem A: Subject individuals.

Subsystem B: The state or territory implementing the program and the subject individuals.

Systems exempted from certain provisions of the act:

Subsystems A and B: None.

DOE-66

System name:

Power Sales to Individuals.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401.

Also, records in this system are located at various regional offices of the Western Area Power Administration.

Categories of individuals covered by the system:

Individuals purchasing power from the Western Area Power Administration.

Categories of records in the system:

Executed contracts, agreements, amendments, extensions, and related correspondence.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine uses listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

By name.

Safeguards:

Records are maintained in a locked facility with access limited to authorized personnel on a need-to-know basis.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Administrator, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individuals.

Systems exempted from certain provisions of the act:

None.

DOE-67

System name:

Participants in Experiments, Studies, and Surveys.

Subsystem A: EIA-23 Survey Reports (Annual Survey of Domestic Oil and Gas Reserves) Submitted by Natural Persons.

Subsystem B: Hanford Clinical Epidemiologic Studies.

Security classification:

Subsystems A and B: Unclassified.

System location:

Subsystem A:

U.S. Department of Energy, Office of Oil and Gas, 1000
Independence Avenue, SW., Washington, DC 20585
Information Systems Program/Energy Resources Center,
University of Oklahoma, Physical Sciences Building, Norman,
OK 73070

Subsystem B: Richland Operations Office, Post Office Box 550, Richland, WA 99352.

Portions of the system may be located with contractors or other entities involved in conducting the experiments, studies or surveys, or in any DOE office.

Categories of individuals covered by the system:

Individuals who are participants in experiments, studies, and surveys undertaken in furtherance of authorized DOE research activities.

Subsystem A: Operators of oil and/or natural gas wells as of December 31 of each year.

Subsystem B: All present and former DOE and DOE contractor Richland Operations employees, their spouses and offspring, and selected controls.

Categories of records in the system:

Subsystems A and B: Name, age, birth date, place of birth, sex, race, social security number, home address and telephone number, business address and telephone number, education, income, occupation, family size and composition, patterns of product use, and such other information as is necessary, to be determined by the subject matter and purpose of the experiment, study or survey, including data derived from participants' responses during the course of the authorized research. System also consists of a variety of records pertinent to the health status of individuals and their families: Medical history; reproductive history; birth records; developmental history; occupational history and work environment; demographic information; and selected items such as smoking habits, alcohol use, family medical history, and location of residence.

Authority for maintenance of the system:

Generally, including authority for establishment of system: 5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009. Subsystem A—Section 13(b) of the Federal Energy Administration Act of 1974, and Subsystem B—Section 161(i)(3), Atomic Energy Act of 1954. Amended, 42 U.S.C. 2201(i)(3) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Generally and Subsystem A: Information in this system may, on occasion, be disclosed to Federal agencies and other entities which are participating in research in connection with which the data were obtained. Information in the possession of the Energy Information Administration must be disclosed, upon request, to any DOE office which determines the information relates to its functions. Additional routine uses 8 and 9 listed in Appendix B.

Subsystem B: Disclosure may be made to DOE contractors and collaborating researchers and their staff for the purposes of determining influences of the workplace, other factors on the health of workers and their families. The contractor and/or collaborating researchers and their staff shall be required to maintain Privacy Act safeguards with respect to such records. Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more of the following to obtain a current address for the individual: Federal, state, and local agencies; employers; retail credit associations. The purpose of obtaining the address is so that the individual can be contacted and asked to provide additional research information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Generally paper records in file folders, electromagnetic storage material, and microfiche.

Subsystem A: Paper records, microfiche, disk, and tape.

Subsystem B: Paper records, computer printouts, index cards, microfilm, and disk.

Retrievability:

Generally: By name, control number, or other code identifier.

Subsystem A: By data element.

Subsystem B: By name, alphanumeric code, and social security number.

Safeguards:

Generally during business hours, the records at DOE sites are maintained in secured buildings with access limited to those whose official duties require access; during nonbusiness hours, the records are in secured rooms with access controlled by security guards. Any records maintained by other entities will be maintained in a similar fashion in accordance with DOE specifications. Records are maintained in lockable cabinets, in secured buildings. Access is limited to individuals having a need-to-know.

Subsystem A: The contract with the University of Oklahoma stipulates that it will exercise all diligence in controlling access to the records maintained under the program and that only authorized members of the contractor, and DOE will be allowed to use the data. All personnel that handle or process the data are instructed and cautioned as to the confidentiality of the data and its proper disposition.

Subsystem B: Records are maintained in lockable cabinets, in secured buildings. Access is limited to individuals having a need-to-know.

Retention and disposal:

Generally: Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within DOE are destroyed by shredding, burning or burial in a sanitary landfill, as appropriate.

Subsystem A: It is intended that the records will be maintained indefinitely.

System manager(s) and address:

Headquarters: Subsystem A: U.S. Department of Energy, Administrator, Energy Information Administration (or designee), 1000 Independence Avenue, SW., Washington, D.C. 20585.

Field Offices: Subsystem B: U.S. Department of Energy, Richland Operations Office, P.O. Box 550 Richland, WA 99352.

The designated person in each office conducting the relevant experiment, study, or survey.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to: Subsystem A—Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, or for Subsystem B—Privacy Act Officer, Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 99352, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name at the time of study, birthdate, social security number, current name, address, and telephone number.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-68

System name:

Minority Energy Technical Assistance Program (METAP) Records.

Security classification:

Unclassified.

System location:

For the DOE, Records are located at: U.S. Department of Energy, Office of Special Projects, Office of Conservation and Renewable Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

For the Center For Urban Environmental Studies (CUES), records are located at: U.S. Department of Energy, Center for Urban Environmental Studies, 1012 14th Street, NW., Washington, DC 20005.

Categories of individuals covered by the system:

Selected elected officials.

Categories of records in the system:

Name, position, sources of energy information, and perception of needs of constituents for energy information.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Cues:

Records are used to construct training programs for the DOE. Additional routine use 8 as listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

At DOE, computer medium records; at CUES, paper records.

Retrievability:

By name and Federal region.

Safeguards:

DOE records are maintained in a locked facility, with access limited to authorized personnel on a need-to-know basis; at CUES, the grant agreement with CUES stipulates that CUES will exercise all diligence in controlling access to the records maintained under this program and that only authorized members of CUES, DOE, and routine users will be allowed to use the data. All personnel that handle or process the data are to be instructed and cautioned as to the confidentiality of the data and its proper disposition.

System manager(s) and address:

U.S. Department of Energy, Assistant Secretary for Conservation and Renewable Energy (or designee), Washington, DC 20585.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy, Washington, DC 20585, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Subject individual.

Systems exempted from certain provisions of the act:

None.

DOE-69

System name:

Residential Solar Water Heating Workshops Pilot Program Records.

System location:

U.S. Department of Energy, Bonneville Power Administration, Division of Program, (KP), P.O. Box 3621, Portland, OR 97206, and utilities that may participate in the program.

Categories of individuals covered by the system:

Individuals who have requested participation in the Residential Solar Water Heating Workshops Pilot Program and who meet the homeowner eligibility criteria agreed upon by BPA and by participating utilities.

Categories of records in the system:

Information about a participants household hot water consumption prior to installation of a solar hot water heating system, electric energy consumption for water heating, family size, siting and orientation of house, roof area available for solar collectors, hours of daily sunlight on the roof top year round, extent of shading by nearby buildings or vegetation, storage area for water tank(s), structual aspects relating to solar system installation, and data about the performance of the water heating system after installation.

Authority for maintenance of the system:

Bonneville Project Act of 1937, 16 U.S.C. Chapter 12B(1976), as amended by the Flood Control Act of 1944 (16 U.S.C. Section 8258), and the Federal Columbia River Transmission Act of 1974 (16 U.S.C. Chapter 838).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information will be maintained by the utility and will be used to assess the electric energy displacement for water heating by the solar system; evaluate the performance of several types of solar water heating systems, under varying seasonal and climatic conditions; assess the potential regional impact of solar energy used for water heating; determine eligibility of participants for BPA rebates; and evaluate the performance of owner-built solar water heating systems.

BPA will use this information in statistical form to evaluate the overall effectiveness of the program, and provide a public data base which will be used to plan and analyze appropriate conservation measures for residents of the Pacific Northwest.

The utility will make information available to Federal, state, and local agencies and organizations with an interest in solar development in the region, and to BPA for audit and prgram evaluation purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and computer tapes.

Retrievability:

By utility account number.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. All files are locked when unattended.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Division of Programs (KP), Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208.

Notification procedure:

Requests by an individual to detrmine if a system of records contains information about him/her should be directed to the Privacy Acts Officer, Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The information in this system is solicited from the individual to whom the record pertains. Information about homes will be gathered by representatives of the utilities based on an examination of the home conducted in cooperation with the customer.

Systems exempted from certain provisions of the act:

None.

DOE-70

System name:

Electricity Use and Conservation Analysis Records.

Security classification:

Unclassified.

System location:

Bonneville Power Administration, Division of Programs (KP), P.O. Box 3621, Portland, OR 97208, and utilities that may be participating in the program and announced here annually.

Categories of individuals covered by the system:

Individuals who have requested participation in the Residential Conservation Program.

Categories of records in the system:

Information about a person's household energy consumption, family size, characteristics of his/her dwelling, including heating and cooling systems; structural aspects related to thermal efficiency, and other characteristics which affect patterns of residential energy consumption.

Authority for maintenance of the system:

Bonneville Project Act of 1937, 16 U.S.C. Chapter 12B(1976), as amended by the Flood Control Act of 1944 (16 U.S.C. 825s) and the Federal Columbia River Transmission System Act of 1974 (16 U.S.C. Ch. 838).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information will be maintained by the utility and will be used to evaluate various energy-saving opportunities in the home; calculate energy and financial savings which could result from weatherization improvements in the home; make recommendations concerning weatherization improvements in the home; determine eligibility for DOE weatherization financing; and provide a record of weatherization improvements and household energy efficiency to subsequent owners of the home.

BPA will use this information in aggregated statistical form, without identifiers, to evaluate the overall effectiveness of the program through statistical analysis, and provide a public data base which will be used to plan and analyze appropriate conservation measures for residents of the Pacific Northwest.

The utility will make information available to building contractors for use in preparing and submitting bids for the performance of weatherization work, and DOE for audit and program evaluation purposes. The information provided to DOE will include a unique utility company account number for each customer, but not the customer's name and address.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and computer tapes.

Retrievability:

By utility account number.

Safeguards:

Access to and use of individually identifiable records are limited to those persons whose official duties require such access. All files are locked when unattended.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within DOE are destroyed by shredding, burning or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Division of Programs (KP), Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208.

Notification procedure:

Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The information in this system is solicited from the individual to whom the record pertains. Information about homes will be gathered by representatives of the utilities based on an examination of the home conducted in cooperation with the customer.

Systems exempted from certain provisions of the act: None.

DOE-71

System name:

The Radiation Accident Registry.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Categories of individuals covered by the system:

Those persons accidentally exposed to acute doses of ionizing radiation as defined by exposure dose criteria agreed to by the DOE and the Nuclear Regulatory Commission (NRC) by an interagency agreement. The dose criteria established by this agreement include one or more of the following: Greater than or equal to 25 REM (Roentgen Equivalent in Man) to the whole body, active blood-forming organs or gonads; greater than or equal to 600 REM to skin of the whole body or extremities; greater than or equal to 75 REM to other tissues or organs from an external source; and greater than or equal to ½ NCRP maximum permissible organ burden internally; all those medical misadministrations of radioisotopes that result in a dose or organ burden equal to or greater than those given above.

To those individuals known to have been involved in an event in which one or more other persons received a dose equal to or in excess of the DOE/NRC criteria but whose personal dose was less than these criteria. The histories of these individuals contribute control population data.

Categories of records in the system:

Official accident reports including reports of those accidents that have occurred within the jurisdiction of the NRC and have been transferred to the DOE for the Accident Registry according to the DOE/NRC agreement; names, addresses, social security numbers, date of birth, and sex; medical records compiled at the time of the accident (such records include physician and hospital records, diagnostic and laboratory test reports, radiographs, EKGs, and radiation exposure report); medical records of illnesses, examinations, including routine followup examinations, and investigations that have occurred since the radiation exposure; photographs of facsimilies of radiation-induced injuries; search and contact information for registrants not identified and/or located; consent to release information forms completed by registrants; death certificates; anecdotal information; correspondence relating to the accident and/or the individuals involved.

Authority for maintenance of the system:

5 U.S.C. 301: Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide a current record of radiation accidents for use by the DOE, and its contractors and consultants; to identify specific populations for use in epidemiological and clinical studies; and to conduct medical surveillance during the lifetime of the registrants.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act. Additional uses 4, 8, 9, and 10 listed in Appendix B, of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer tapes, computer printouts, punched cards, disc, magnetic tape, and microfilm.

Retrievability:

By name and social security number.

Safeguards:

Records are maintained in locked security areas in locked file cabinets. Acess is limited to individuals whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

Headquarters: U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830, in accordance with DOE's Privacy Act regulations (10 CFR part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individual, medical records, physicians, medical institutions, and reports of incident/accident/accident investigations from private and public sources, radiation dosimetry records, security clearance records, and employment records.

Systems exempted from certain provisions of the act:

None.

DOE-72

System name:

The Department of Energy Radiation Study Registry.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Categories of individuals covered by the system:

Registrants are those present and former employees of contractors of the DOE and its predecessor organizations including the Manhattan District, USAEC, and ERDA, and present and former civilian employees in the DOE Naval Reactor Program who received a whole body exposure of ionizing radiation equal to or in excess of 5 REM in any 1 year.

Categories of records in the system:

Rosters of names of individuals meeting the above criteria for inclusion in the Registry submitted through the DOE field operation officers from DOE owned and operated facilities and sites. In addition to names of such individuals, these rosters include social security number of other identifying information, sex, race, date of birth, date and/or place of death, first date of hire, last date of termination, continuity of hire, year in which they received first dose greater than or equal to 5 REM, actual radiation dose in excess of 5 REM, and total career radiation exposure dose.

Original or copied lifetime medical records from plant and private physicians and hospitals including routine physical examinations, reports of diagnostic and laboratory tests, radiographs, EKG's, etc., or abstracted portions of such records as are required for the purposes of this study.

Search and contact information for registrants who are no longer employed at qualified sites or who are deceased.

Authority for maintenance of the system:

5 U.S.C. 301: Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act, Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide a current record of registrants for use by DOE, its contractors, and consultants; to identify specific populations for use in epidemiological and clinical studies; to conduct medical surveillance during the lifetime of the registrants.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act. Additional uses 4, 8, 9 and 10 listed in Appendix B, of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer tapes, computer printouts punched cards, discs, magnetic tape, and microfilm.

Retrievability:

By name and social security number.

Safeguards:

Records are maintained in locked security areas in locked file cabinets. Access is limited to individuals whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records and Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830, in accordance with DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individual, medical records, physicians, medical institutions, and reports of incident/accident investigations from private and public sources, radiation dosimetry records, security clearance records, and employment records.

Systems exempted from certain provisions of the act:

None.

DOE-73

System name:

The US-DTPA Registry.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Categories of individuals covered by the system:

Registrants are those individuals who, because of real or suspected internal contamination with transuranic elements, have received diethylenetriaminepentaacetic acid (DTPA), in the calcium or zinc form during the course of chelation therapy. Administration of the agent DTPA is limited to physicians who are co-investigators with the DOE contractor staff on the Investigative New Drug License of the Food and Drug Administration.

Categories of records in the system:

The records compiled by the physician administering DTPA in the event of an exposure that was known to have or was suspected of having caused transuranic contamination internally requiring chelation therapy with DTPA. These records include a description of the exposure, the results of serial bioassays and investigations conducted to evaluate the level of internal contamination and the efficacy of subsequent chelation by DTPA. The form of DTPA and the route and frequency of administration are recorded together with any untoward effects of the therapy.

Name, social security numbers or other identifiers and vital status of treated persons. The last known address and the name of the private physicians of individuals who have relocated or who are no longer within the practice of the administering physician(s) are included in the DTPA Registry to facilitate the search and contact of these individuals; medical records of illnesses, examinations, including routine followup examinations, investigations, etc., that have occurred since the initial administration of DTPA; and death certificate.

Authority for maintenance of the system:

5 U.S.C. 301: Department of Energy Organization Act, including authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide a current record of individuals treated with DTPA for use by the DOE and its contractors and consultants; identify by epidemiological methods any long-term untoward effects associated with DTPA therapy; to provide information to FDA in accord with the IND license and issuances.

A record from this system of records may be disclosed to researchers for the purpose of conducting an epidemiologic study of workers at a DOE facility if their proposed studies have been reviewed by the National Academy of Sciences and deemed appropriate for such access. A researcher granted access to these records shall be required to sign an agreement to protect the confidentiality of the data and be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act.

A record from this system of records may be disclosed to members of an advisory committee for purposes of conducting a review of the Department of Energy epidemiologic program. Members of an advisory committee who obtain access to the records shall be subject to the same restrictions applicable to DOE officers and employees under the Privacy Act. Additional uses 4, 8, 9, and 10 as listed in Appendix B, of 47 FR 14284, dated April 2, 1982.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer tapes, computer printouts, punched cards, discs, magnetic tape, and microfilm.

Retrievability:

By name and social security number.

Safeguards:

Records are maintained in locked security areas in locked file cabinets. Access is limited to individuals whose official duties require access.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830, in accordance with the DOE's Privacy Act regulations (10 CFR Part 1008 (45 FR 61576, September 16, 1980)).

b. Required identifying information: Complete name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individual, medical records, physicians, medical institutions, and reports of incident/accident investigations from private and public sources, radiation dosimetry records, security clearance records, and employment records.

Systems exempted from certain provisions of the act:

None.

DOE-74

System name:

Bonneville Power Administration Conservation Program.

Security classification:

Unclassified

System location:

U.S. Department of Energy, Bonneville Power Administration, Division of Programs (KP), P.O. Box 3621, Portland, OR 97208, and utilities or other entities which may participate in the program.

Categories of individuals covered by the system:

Any participant in a Bonneville conservation program will be included in the system of records. For example, participants include but are not limited to, residential consumers, commercial consumers, contractors, utility personnel, and personnel of other implementing entities.

Categories of records in the system:

Information about individual energy consumption including names, addresses, and other demographic data; characteristics of buildings; characteristics about natural phenomenon (such as wind, sunlight, geothermal activity, etc.); structual aspects related to thermal efficiency; information as to type, location, and number of installed measures; performance data; information relating to BPA financial assistance to consumers; and information as to auditor/analyst training.

Authority for maintenance of the system:

Bonneville Project Act of 1937, 16 U.S.C. Chapter 12B (1976), as amended by the Flood Control Act of 1944 (16 U.S.C. 825s), the Federal Columbia River Transmission System Act of 1974 (16 U.S.C. Chapter 838), and the Pacific Northwest Electric Power Planning and Conservation Act (Pub. L. 96-501).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information will be maintained by BPA, a utility, or other entity administering the program and will be used to determine eligibility for and to account for BPA payments; evaluate the electric energy displacement for conservation and direct application renewable resource measures; to evaluate the performance of specific measures; to assess potential regional impact of individual pilot measures; to make recommendations to consumers concerning energy efficiency; to assist in preparing detailed resource assessments; to assist in installation or repair of measures; and to assist in verification or correction of services rendered under this program. Information may also be released to the public in aggregated form for purposes of survey and program analysis. Except in cases 1, 7, and 8, above, information will not be released in other than aggregated form without the prior consent of the individual.

BPA will use this information in statistical form to evaluate the overall effectiveness of the program, and to provide and make available a public data base which will be used to plan and analyze appropriate conservation and direct application renewable resource measures for firms and residents of the Pacific Northwest.

The utility or other entity administering the program will make information available in aggregated form to Federal, state, and local agencies and organizations with an interest in conservation and direct application renewable resource measures; and to BPA for audit and program evaluation purposes. When necessary for accomplishing a measure, the utility or other entity will make information available to contractors for use in preparing and submitting bids for work, and to repair person called upon to evaluate, correct deficiencies in, or otherwise repair installed measures. The utility or other entity may disclose site or building-specific information to subsequent purchasers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, computer tapes, and disk.

Retrievability:

Records maintained by the utility are indexed by a utility account number assigned to each utility customer. Records are indexed by other assigned numbers when maintained at a location other than a utility.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. All files are locked or otherwise secure when unattended.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Division of Programs (KP), Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208, in accordance with the DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The information in this system is solicited from the individual to whom the record pertains. Information will also be gathered from data collection and other monitoring equipment such as electric meters, flowmeters, air quality monitors, and so forth. Information will be gathered by representatives of the utilities or by others at BPA's request.

Systems exempted from certain provisions of the act: None.

DOE-75

System name:

Savannah River Plant Telephone Call Account System (Call Account System).

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29801

Categories of individuals covered by the system:

Employees of Department of Energy (DOE), other Federal agencies and contractors who are assigned telephone station numbers under the Savannah River Plant telephone system.

Categories of records in the system:

Calling station number and Julian date, time call originated, duration Act (Pub. L. 95-91), including authorities incorporated by incoming calls except the numbr of rings are recorded rather than calling station number.

Authority for maintenance of the system:

5 U.S.C. 301; Section 644 of the Department of Energy Organization Act (Pub. L. 95-91), includiong authorities incorporated by reference in Title III of the Department of Energy Organization Act; Executive Order 12009.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To maintain an adequate grade of service on the trunk groups, to certify toll charges, and to improve system usage by correcting misuse and by management to monitor system usage. Additional routine uses 1, 2, 3, 4, 5, 8, and 9 listed in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tapes, and microfilm.

Retrievability:

By telephone numbers, which are assigned to staff members on a nearly one-to-one basis.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. All records are maintained in locked files.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Telecommunications and Emergency Planning Branch, Savannah River Operations Office, Aiken, SC 29801.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29801, in accordance with the DOE's Privacy Act regulations (10 CFR Part 1008 ,45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The information contained in this system of records is derived from use of the Savannah River Telephone System.

Systems exempted from certain provisions of the act:

None.

DOE-76

System name:

California, Nevada, and Utah Milk Directory.

Security classification:

Unclassified.

System location:

U.S. Department of Energy, Nevada Operations Office, P.O. Box 14100, Las Vegas, NV 89114.

Categories of individuals covered by the system:

Ranchers, farmers, and dairymen in Nevada and certain countries in California and Utah.

Categories of records in the system:

Information on dairy herd and family milk cow owners including location, owners' names, and telephone numbers.

Authority for maintenance of the system:

5 U.S.C. 301; Department of Energy Organization Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system are used to identify and notify farmers, ranchers, and dairymen in Nevada and certain counties in California and Utah if there is accidental leakage of radioactivity in the atmosphere, so that milk samples can be taken and analyzed to determine whether radiation levels are excessive.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, punched cards, magnetic tape and disk, and computer printouts and plots.

Retrievability:

By location.

Safeguards:

Access to magnetic tapes and disk files is controlled through established computer center procedures (personnel screening and physical controls). Records are maintained in limited access areas with visibility limited to those having a need-to-know.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records Disposition." Records are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Nevada Operations Office, P.O. Box 14100, Las Vegas, NV 89114.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Privacy Act Officer, Department of Energy, Nevada Operations Office, P.O. Box 14100, Las Vegas, NV 89114, in accordance with the DOE's Privacy Act regulations (10 CFR Part 1008 ,45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, social security number, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

Information in this system comes from individual ranch, farm, and dairy owners.

Systems exempted from certain provisions of the act:

None.

DOE-77

System name:

Physical Fitness Test Records.

Security classification:

Unclassified.

System location:

The locations listed as items 1 through 21 in Appendix A.

Categories of individuals covered by the system:

DOE contractor employees (armed uniform guards).

Categories of records in the system:

Record of individual's ability to complete the physical fitness test as set forth in applicable DOE directives.

Authority for maintenance of the system:

Authorities vested in and transferred to the Secretary of Energy, under the Department of Energy Organization Act, Pub. L. 95-91.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system provide information on security guards' ability to annually perform fitness tests. Records are disclosed to administrative and training personnel of the contracted protective force management or the responsible Federal force managed in the performance of regular duties.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper file, manually retrieved.

Retrievability:

By name.

Safeguards:

Access limited to employees having need-to-know. Records are stored in locked file cabinets in secured building under guard protection.

Retention and disposal:

Records retention and disposal authorities are contained in DOE 1324.2, "Records disposition." Records within the DOE are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

System manager(s) and address:

U.S. Department of Energy, Director, Office of Safeguards and Security, DP-34, Washington, DC 20545.

Notification procedure:

a. Requests by an individual to determine if a system of records contains information about him/her should be directed to the Director, Freedom of Information and Privacy Acts Activities, Department of Energy (Headquarters), or the Privacy Act Officer at the appropriate address identified as items 1 through 21, in Appendix A; in accordance with DOE's Privacy Act regulations (10 CFR Part 1008, 45 FR 61576, September 16, 1980).

b. Required identifying information: Complete name, the geographic location(s) and organization(s) where requester believes such record may be located, date of birth, and time period.

Record access procedures:

Same as Notification procedures above.

Contesting record procedures:

Same as Notification procedures above.

Record source categories:

The individuals themselves, their supervisors, physicians, and persons administering the tests.

Systems exempted from certain provisions of the act:

None.

Appendix A

(1) U.S. Department of Energy (Headquarters), 1000 Independence Avenue, SW., Washington, DC 20585
(2) U.S. Department of Energy, Alaska Power Administration, P.O. Box 50, Juneau, AK 99802
(3) U.S. Department of Energy, Albuquerque Operations Office, P.O. Box 5400, Albuquerque, NM 87115
(4) U.S. Department of Energy, Bartlesville Energy Technology Center, P.O. Box 1398, Bartlesville, OK 74003
(5) U.S. Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208
(6) U.S. Department of Energy, Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439
(7) U.S. Department of Energy, Grand Forks Energy Technology Center, P.O. Box 8213, University Station, Grand Forks, ND 58201
(8) U.S. Department of Energy, Idaho Operations Office, 550 Second Street, Idaho Falls, ID 83401
(9) U.S. Department of Energy, Laramie Energy Technology Center, P.O. Box 3395, University Station, Laramie, WY 82071
(10) U.S. Department of Energy, Morgantown Energy Technology Center, P.O. Box 880, Morgantown, WV 26505
(11) U.S. Department of Energy, Nevada Operations Office, P.O. Box 14100, Las Vegas, NV 89114
(12) U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830
(13) U.S. Department of Energy, Pittsburgh Energy Technology Center, P.O. Box 10940, Pittsburgh, PA 15122-0109
(14) U.S. Department of Energy, Pittsburgh Naval Reactors, P.O. Box 109, Pittsburgh, PA 15122
(15) U.S. Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 99352
(16) U.S. Department of Energy, San Francisco Operations Office, 1333 Broadway, Oakland, CA 94612
(17) U.S. Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29801
(18) U.S. Department of Energy, Schenectady Naval Reactors Office, P.O. Box 1069, Schenectady, NY 12301
(19) U.S. Department of Energy, Southeastern Power Administration, Samuel Elbert Building, Elberton, GA 30635
(20) U.S. Department of Energy, Southwestern Power Administration, P.O. Box 1619, Tulsa, OK 74101
(21) U.S. Department of Energy, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401

Appendix B—Additional Routine Uses.

The following routine uses apply to and are incorporated by reference into each system of records as stated therein:

1. In the event that a record within this system of records maintained by this agency indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred as a routine use to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

3. A record from this system of record may be disclosed, as a routine use, to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, (a) to appropriate parties engaged in litigation or in preparation of possible litigation, such as potential witnesses, for the purpose of securing their testimony when necessary; (b) to courts, magistrates or administrative tribunals; (c) to parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes; and (d) to individuals seeking information by using established discovery procedures, whether in connection with civil, criminal, or regulatory proceedings.

5. A record maintained by this agency to carry out its functions which relates to civil and criminal procedings may be disclosed to the news medial in accordance with guidelines contained in Department of Justice regulations 28 CFR 50.2.

6. A record maintained by this agency to carry out its functions may be disclosed to foreign governments in accordance with treaty obligations.

7. A record from this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

8. A record form this system of record may be disclosed, as a routine use, to DOE contractors in performance of their contracts, and their officers and employee have a need for the record in the performance of their duties subject to the same limitations applicable to DOE officers and employees under the Privacy Act.

9. A record in this system of records may be disclosed, as a routine use, to a member of Congress submitting a request involving the individual when the individual is a constituent of the member and has requested assistance from the member with respect to the subject matter of the record.

10. A record in this system of records which contains medical and/or psychological information may be disclosed, as a routine use, to the physician or mental health professional of any individual submitting a request for access to the record under the Privacy Act of 1974 and DOE's Privacy Act regulations if, in its sole judgment and good faith, DOE believes that disclosure of the medical and/or psychological information directly to the individual who is the subject of the record could have an adverse effect upon that individual, in accordance with the provisions of 5 U.S.C. 52a(f)(3) and applicable DOE regulations.

FEDERAL ENERGY REGULATORY COMMISSION

Where the term "Commission" is used, it refers to the Federal Energy Regulatory Commission unless the term references records which date prior to October 1, 1977, in which case it refers to the Federal Power Commission.

FERC-1

System name: Regulatory Evaluation And Docketed Information System (READI).

System location: The system is located at the Department of Energy's computer facilities, Washington, D.C. and Germantown and Rockville, Maryland, and as leased from Boeing Computer Services, McLean, Virginia.

Categories of individuals covered by the system: Department of Energy contact persons; Commissioners; Administrative Law Judges; attorneys; project managers; technical, environmental and other Commission staff personnel associated with cases before the Commission; parties of record; and parties to be advised of proceedings. With respect to information concerning these individuals, only their names, titles, business addresses, business telephone numbers, relationship to a particular proceeding, and time expended by FERC personnel on that proceeding are entered.

Categories of records in the system: This system of records contains information regarding the stages a docketed proceeding passes through as it is reviewed by Commission personnel. The information in the system of records includes the names of the individuals indicated above, including the names of Commission personnel responsible for various processing stages of a proceeding. The system indicates which processing stage a proceeding has reached and which Commission personnel are presently assigned to a proceeding. A case-weighing function is used to facilitate allocation of manpower and assignments.

Authority for maintenance of the system: 15 U.S.C. section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records and information in the records may be used by authorized Commission personnel to identify all docketed proceedings pending before the Commission; to indicate the current processing stage of a proceeding; to enable management to inventory proceedings by stage of processing; to identify staff personnel responsible for particular proceedings or parts of proceedings; to monitor and analyze the productivity of the Commission staff; to allocate manpower and make assignments; to identify the organizational unit responsible for a given proceeding; to identify general classes of proceedings in order to expedite their processing; and to produce management reports for agency-wide distribution, including responses to general requests for statistical information (without personal identifiers of individuals) under the Freedom of Information Act and responses to inquiries from members of Congress, other federal agencies, the press and the public. In addition, the system is used as a data source for management information, for production of summary statistics and analytical studies in support of the function for which these records are collected and maintained, or for related personnel management functions or manpower studies compiled by the staff or a contractor of the Commission; or by members of advisory committees created by the Commission or the Congress to render advice and recommendations to the Commission or the Congress. These uses are solely in connection with official designated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records of FERC–1 are maintained on magnetic tape, computer disk files and punch cards.

Retrievability: Records are retrieved by identifying elements (e.g., docket number, docket name, type of filing), by Commission staff members (e.g., Commissioner, Administrative Law Judge, attorney, etc.), applicant name, or applicant contact.

Safeguards: The records of FERC–1 are stored in a secured computer facility and access is limited to select authorized users.

Retention and disposal: The records are maintained for each proceeding in an "active file" until the proceeding has been terminated. The records are then transferred to a history file for permanent retention.

System manager(s) and address: Executive Director, Federal Energy Regulatory Commission, Room 9106, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All requests to determine whether this system contains a record pertaining to a requesting individual should be made in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 3b.220(a). Individuals should provide the appropriate identifying information as required by 18 CFR 3b.220(b).

Record access procedures: Requests for access to records in this system should be made in accordance with 18 CFR 3b.221. Individuals should provide the appropriate identifying information as specified in 18 CFR 3b.222.

Contesting record procedures: Requests to amend records should be made in accordance with 18 CFR 3b.224.

Record source categories: Records of FERC–1 are obtained through public filings with the Commission, individuals and persons covered by the records, and the Commission itself.

FERC–2

System name: Appeals, Grievances and Complaints Records—FERC.

System location: Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Office of the Assistant Director, Office of Electric Power Regulation, 400 First Street, NW, Washington, D.C. 20426.

Categories of individuals covered by the system: Applicants for FERC employment, current and former FERC employees, and annuitants who appeal from a determination made by an official of the FERC or the Office of Personnel Management to the Office of Personnel Management, a board to adjudicate appeals, or to the FERC.

Categories of records in the system: As such, the system contains information and files on grievances under negotiated grievance systems and documents relating to a decision or determination made by the Commission or the Office of Personnel Management which affects an individual employee, or prospective employee because of an adverse action or other appeal under applicable Office of Personnel Management regulations, classification appeals, performance rating appeals, Fair Labor Standards Act complaints, grievances and complaints brought under the Equal Employment Opportunity Act. This system of records includes counseling records, case disposition reports of the Office of Personnel Management, intraoffice and interoffice communications, schedules, tabulations, lists, organizational charts which contain personal information, and records of relevant Federal court cases.

Authority for maintenance of the system: 15 U.S.C. section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); and the applicable sections of Title 5 of the United States Code and the Office of Personnel Management regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used to adjudicate the appeal, complaint, or grievance; to respond to a request from a Member of Congress regarding the status of an appeal, complaint, or grievance; to provide information to the public on the decision of an appeal, complaint, or grievance as required by the Freedom of Information Act; to disclose to a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information if necessary in order to obtain information relevant to an FERC decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant, or other benefit; to disclose relevant information to a Federal agency in response to requests involving the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or issuance of a license, grant or other benefit by the requesting agency; to serve as a data source for disciplining the individual or other FERC employee in the event that this record system indicates a violation of law, executive order or regulation; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies compiled by the staff or contractor of the Commission. The system is also used by the Office of Personnel Management or the General Accounting Office as a data source during the course of onsite inspections or audits of Commission operations. The disclosure (of information) may be made to a member of Congress from the record of an individual in response to a written request from the Member which is made at the request of the individual who is the subject of the record. In the event that a system of records maintained by the FERC to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system or records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the name of individuals.

Safeguards: The records are maintained in metal file cabinets with manipulation-proof combination locks. Access to these files and combinations is limited to those whose official duties require access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: After a final decision on a particular case is reached by the Commission or other decisional authority, all records pertaining to that case are maintained in the Office of Executive Director as a closed file. If a Commission decision is not appealed to the Office of Personnel Management or other appropriate appeal board, the records are maintained for no more than two years and are transferred to the National Personnel Records Center, St. Louis, Missouri, where they are retained for at least seven years. Commission Equal Employment Opportunity Counselors maintain for one year case records which have not been a basis of an EEO complaint. The disposition of these records is handled pursuant to applicable GSA regulations and applicable internal administrative directives.

System manager(s) and address: Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All requests to determine whether this system contains a record pertaining to a requesting individual should be made in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 3b.220(a). Individuals should provide the appropriate identifying information as required by 18 CFR 3b.220(b).

Record access procedures: Requests for access to records in this system should be made in accordance with 18 CFR 3b.221. Individuals should provide the appropriate identifying information as specified in 18 CFR 3b.222.

Contesting record procedures: Requests to amend records should be made in accordance with 18 CFR 3b.224.

Record source categories: Individuals to whom the record pertains; Federal Energy Regulatory Commission and Office of Personnel Management officials; affidavits or statements from individual; testimony of witnesses; official documents relating to the appeal, grievance, or complaint; correspondence from special organizations or persons.

FERC-3

System name: Applications for Interlocking Directorates, Public Files.

System location: Office of Management Services, Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Lansburgh's Warehouse, Office of Management Services, Office of the Executive Director, Federal Energy Regulatory Commission, 410 8th Street, NE, Washington, D.C. 20426.

Division of Rates and Corporate Regulation, Office of Electric Power Regulation, Federal Energy Regulatory Commission, 400 First Street, NW, Washington, D.C. 20426.

Categories of individuals covered by the system: Officers and directors of related public utilities who, in accordance with Section 305(b) of the Federal Power Act, 16 U.S.C. section 825d(b), file for permission to hold the position of officer or director of more than one public utility, of a public utility and certain financial institutions authorized to market public utility securities, and a company supplying each utility with electrical equipment.

Categories of records in the system: This system of records includes the following information for each individual: The name of the applicant; the docket number of the application; the position applied for; the date of the application and a copy of the application; the date of the public notice of the application and a copy of that notice; the date and copy of the order granting or deny the application; the date of any relevant hearing; and a copy of any petitions to intervene.

Authority for maintenance of the system: 16 U.S.C. section 825d(b); 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used as a file by staff of the Commission whose official duties involve the decision of whether to grant the application. The file is also used as a record of such proceedings. The records are available to the general public pursuant to the Freedom of Information Act, 5 U.S.C. section 552, as amended.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders on shelves.

Retrievability: These records are filed by docket number and are cross-referenced by the name of the individual whose application is involved.

Safeguards: No measures are taken to prevent disclosure. The system contains only information available to the public.

Retention and disposal: These records are maintained for one year after the applicant dies or ten years after notice of termination of his authorization. The disposition of these records is handled pursuant to applicable GSA regulations and/or applicable internal administrative directives.

System manager(s) and address: Office of Management Services, Office of the Executive Director, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this sytem of records should be addressed to the system manager of the system.

Record source categories: Individuals on whom the records are maintained and the staff of the Commission.

FERC-4

System name: Applications for Interlocking Directorates, Security Files-FERC.

System location: Office of Management Services, Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Division of Rates and Corporate Regulation, Office of Electric Power Regulation, Federal Energy Regulatory Commission, 400 First Street, NW, Washington, D.C. 20426.

Categories of individuals covered by the system: Officers and directors of regulated public utilities who, in accordance with Section 305(b) of the Federal Power Act, 16 U.S.C. Section 825d(b), file for permission to hold the position of officer or director of more than one public utility, of a public utility and certain financial institutions authorized to market public utility securities, or of a public utility and a company supplying such utility with electrical equipment.

Categories of records in the system: This system of records includes the following information for each individual: A copy of the application for an interlocking directorate, a copy of any Commission order granting or denying the application, a copy of the FERC staff recommendation, and other supplementary information prepared by Commission staff, if applicable.

Authority for maintenance of the system: 16 U.S.C. section 825d(b); 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used as a working file by the staff of the Commission whose official duties require access in assisting the Commission in determining whether to grant the application. It is used as a record of such proceedings. In the event that a system of records maintained by the Commission to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders in metal file cabinets in a secured room.The information contained in these records has also been stored in a computerized data base with on-line retrieval capabilities.

Retrievability: These records are indexed by the names of individuals on whom they are maintained.

Safeguards: Access to, and use of, these records is limited to those persons whose official duties require such access. Personnel screening of these individuals is employed to minimize unauthorized disclosure and an accounting is made of removal of the records from the storage area.

Retention and disposal: These records are maintained for one year after the applicant dies or ten year after notice of termination of his or her authorization. The disposition is handled pursuant to applicable GSA regulations and/or applicable internal administrative directives.

System manager(s) and address: Division of Rates and Corporate Regulation, Office of Electric Power Regulation, Federal Energy Regulatory Commission, 400 First Street, NW, Washington, D.C. 20426.

Notification procedure: All requests to determine whether this system contains a record pertaining to a requesting individual should be made in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 3b.220(a). Individuals should provide the appropriate identifying information as required by 18 CFR 3b.220(b).

Record access procedures: Requests for access to records in this system should be made in accordance with 18 CFR 3b.221. Individuals should provide the appropriate identifying information as specified in 18 CFR 3b.222.

Contesting record procedures: Requests to amend records should be made in accordance with 18 CFR 3b.224.

Record source categories: Individuals to whom the records pertain and staff of the Commission.

FERC-5

System name: Biographical Material on Chairmen, Vice Chairmen and Commissioners—FERC.

System location: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: All past and present Commissioners and Chairman of the Federal Energy Regulatory Commission.

Categories of records in the system: This system of records contains, where applicable, the following information on each individual: Name, date nominated, date confirmed, date of designation, date of oath of office, term of office, home state, political affiliation, date first in attendance at a Commission meeting, date of expiration of term, date of resignation, and date deceased.

Authority for maintenance of the system: 15 U.S.C. section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by the staff of the Commission whose official duties require access to such information and the records are available to the general public pursuant to the Freedom of Information Act, 5 U.S.C. section 552.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders and in 3-ring binders in a metal file cabinet.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: No means are taken to prevent disclosure. The system contains only information available to the public.

Retention and disposal: These records are retained indefinitely and are updated periodically.

System manager(s) and address: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record source categories: Official White House releases; newspapers; minutes of Commission meetings; and the personnel on whom the records are maintained.

FERC-6

System name: Biographical Material on Commissioners and Key Staff Members-FERC.

System location: Division of Public Information, Office of Congressional and Public Affairs, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: This system of records contains biographical material on Commissioners and key staff members of the Commission including: An official photograph, date and place of birth, marital status, number of children, educational background, past work experience, honors or awards, published materials, and military experience and honors.

Authority for maintenance of the system: 15 U.S.C. section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by authorized Commission personnel whose official duties require access in preparation of news releases to announce appointments of Commissioners and key staff members or promotions of key staff members, and are available to the general public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders in file cabinets.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: No measures are taken to prevent disclosure. The system contains only information available to the public.

Retention and disposal: These records are maintained indefinitely and updated periodically. Their disposition is handled pursuant to applicable GSA regulations and/or applicable internal administrative directives.

System manager(s) and address: Division of Public Information, Office of Congressional and Public Affairs, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this sytem of records should be addressed to the system manager of the system.

Record source categories: Individuals on whom the records are maintained.

FERC-7

System name: Congressional Correspondence Files-FERC.

System location: Office of Electric Power Regulation, Federal Energy Regulatory Commission, 400 First Street, NW, Washington, D.C. 20426.

Categories of individuals covered by the system: Those members of the United States Congress who have corresponded with the Commission and who solicit data from the Office of Electric Power Regulation.

Categories of records in the system: This system of records contains incoming correspondence from United States Congressmen referred to the Office of Electric Power Regulation with the Commission's replies.

Authority for maintenance of the system: 16 U.S.C. section 825h; 15 U.S.C. section 717o; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for use by the staff of the Commission whose official duties require record access. They are used to assure a complete record of correspondence by the Commission with Congress relating to Office of Electric Power Regulation matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders in file cabinets.

Retrievability: These records are indexed by the names of corresponding Congressmen.

Safeguards: Access to the files is limited as required by the Privacy Act to the Commission staff who maintain these files.

Retention and disposal: These records are maintained indefinitely until the system manager determines that their usefulness to the Commission has ceased. Their disposition is handled pursuant to applicable GSA regulations and applicable internal Administrative directives.

System manager(s) and address: Office of the Director, Office of Electric Power Regulation, Federal Energy Regulatory Commission, 400 Forst Street, NW, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record source categories: Corresponding Congressmen and Commission Staff who draft replies.

FERC-8

System name: Congressional Correspondence Files, Office of the Executive Director-FERC.

System location: Office of Management Services, Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: Those current members of the United States Congress who have corresponded with the Commission.

Categories of records in the system: This system of records contains the incoming correspondence from United States Congressmen with Commission replies.

Authority for maintenance of the system: 15 U.S.C. section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for use by the staff of the Commission whose official duties require access to them.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders in metal file cabinets.

Retrievability: These records are indexed by the names of the corresponding Congressmen.

Safeguards: Access to the files is limited as required by the Privacy Act to the Commission staff who maintain these files.

Retention and disposal: These records are maintained for the length of time the corresponding Congressmen remain in office. The disposition of these records is handled pursuant to applicable GSA regulations and any applicable internal administrative directives.

System manager(s) and address: Office of Management Services, Office of the Executive Director, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record source categories: Corresponding Congressmen and Commission staff who draft replies.

FERC-9

System name: Correspondence File—Office of Pipeline and Producer Regulation—FERC.

System location: Office of the Chief, Program Planning and Administrative Staff, Office of Pipeline and Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: Members of Congress and other individuals who have received correspondence drafted by the staff of the Commission's Communications and Administrative Branch, Program Planning and Administrative Staff.

Categories of records in the system: This file contains copies of incoming inquiries and outgoing replies drafted by the staff of the Commission's Communications and Administrative Branch.

Authority for maintenance of the system: 15 U.S.C. section 717o; 42 U.S.C. section 7172(a)(2); 44 U.S.C. section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for use by the staff of the Commission whose official duties require access to the records. They are used to assure a complete record of correspondence by the Commission relating to Office of Pipeline and Producer Regulation matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in notebook binders in shelving units.

Retrievability: These records are indexed by the names of the individuals who have received responses from the Commission.

Safeguards: Access to the files is limited as required by the Privacy Act to the Commission staff who maintain these files.

Retention and disposal: These records are maintained for two years and their disposition is handled pursuant to applicable GSA regulations and applicable internal administrative directives.

System manager(s) and address: Chief, Communications and Administrative Branch, Office of Pipeline Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record source categories: Staff of the Commission and correspondents.

FERC-10

System name: Employee Conduct Records—FERC.

System location: Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: Current and former members of the Commission, applicants for Commission employment, current and former employees of the Commission, current and former special employees of the Commission.

Categories of records in the system: The records of the system contain a variety of information required by the reporting and enforcement provisions of the Commission's Standards of Conduct. The records may include: Debt complaints; reports of misconduct; interpretation and advisory services; determinations of prohibited employment, financial interests, or activities and orders relating to the individual; limitations on work assignments due to requirements of the Standards of Conduct; other corrective or disciplinary actions based on violations of the Standards of Conduct; data documenting the reasons for actions or decisions affecting the individual; and other related information.

Authority for maintenance of the system: 15 U.S.C. Section 717o; 16 U.S.C. section 825h; 42 U.S.C. section 7172 (a)(2); 44 U.S.C. section 3101; E.O. 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The contents of these records and files may be used as follows: By the Commission and/or Office of Personnel Management in connection with counseling the individual, evaluating the individual's employment, financial interests, and other activities, and taking appropriate action to ensure compliance with the Commission's Standards of Conduct; by the Office of Personnel Management or the General Accounting Office as a data source during the course of on-site inspections or audits of Commission operations; to disclose to a Federal, state, or local agency maintaining civil, criminal, or othe relevant enforcement information or other pertinent information if necessary in order to obtain information relevant to an FERC decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; to disclose to a Federal, state, or local agency in response to requests involving the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; to serve as a data source for disciplining the individual or other FERC employee in the event that this record system indicates a violation or potential violation of law, executive order, or regulation; by authorized Commission officials and contractors, as a data source for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; in response to inquiries of Congress made at the request of the individual who is the subject of the record; and in the event that a system of records maintained by the Commission to carry out its functions indicators a violation or potential violation of law, whether civial, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in folders, index cards, and in metal file cabinets with manipulation-proof combination locks.

Retrievability: Records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to, and use of, these records is limited to persons who official duties require such access. Personnel screening is employed to minimize unauthorized disclosure.

Retention and disposal: Within 15 days after an individual leaves the major organizational unit to which he or she is assigned, the records pertaining to that individual which have been maintained are transferred to the Office of Personnel Programs for review and consolidation with official records. Official records are disposed of two years after separation of the employee or five years upon approval of the Office of Personnel Management pursuant to applicable GSA regulations and applicable internal administrative directives.

System manager(s) and address: Office of the General Counsel, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All requests to determine whether this system contains a record pertaining to a requesting individual should be made in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 3b.220(a). Individuals should provide the appropriate identifying information as required by 18 CFR 3b.220(b).

Record access procedures: Requests for access to records in this system should be made in accordance with 18 CFR 3b.221. Individuals should provide the appropriate identifying information as specified in 18 CFR 3b.222.

Contesting record procedures: Requests to amend records should be made in accordance with 18 CFR 3b.224.

Record source categories: Information contained in this system is obtained from the individual on whom the record is maintained or derived from information which he or she supplied; and from Commission officials.

FERC-11

System name: Mailing List for Information Concerning Applications for Interlocking Directorates—FERC.

System location: Registry and Service Branch, Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Categories of individuals covered by the system: Parties interested in applications for interlocking directorates under the Federal Power Act.

Categories of records in the system: This system of records includes the name and address of each individual who receives information concerning interlocking directorate applications to the Commission.

Authority for maintenance of the system: 16 U.S.C. Section 825h; 42 U.S.C. Section 7172(a)(2); 44 U.S.C. Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by the staff of the Commission whose official duties require access to them.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on index cards in a metal index card cabinet.

Retrievability: These records are filed by docket number and are cross-referenced by the name of the individual on whom they are maintained.

Safeguards: Access to the files is limited as required by the Privacy Act to the Commission staff who maintain these files.

Retention and disposal: These records are maintained indefinitely and are periodically updated.

System manager(s) and address: Registry and Service Branch, Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426.

Notification procedure: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record access procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Contesting record procedures: All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

Record source categories: Individuals on whom the records are maintained.

FERC-13

System name:

Time Distribution Reporting System (TDRS).

System Location:

Commission computer facilities, Washington, D.C., and Boeing Computer Services, Inc., Vienna, Virginia.

Categories of individuals covered by the system:

Commissioners; Administrative Law Judges: attorneys; technical, environmental, managerial and all other staff personnel.

Categories of records in the system:

This system of records contains the following information relating to the individuals named above: Name, organizational component, position, grade, dates of Commission employment, and time expended on designated activities.

Authority for maintenance of the system:

15 U.S.C. 717; 16 U.S.C. 825h; 42 U.S.C. 7172(a)(2); 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records and information contained in this system may be used by authorized Commission personnel to identify the distribution of Commission staff time by work product, by organization, and by budget decision unit; to extract manpower processing requirements for determination of fees to be charged for certain filings with the Commission; to allocate manpower and make staff resource adjustments for the effective management of the Commission workload; to forecast staff requirements for development of budget requests; to produce management reports; to monitor and analyze Commission productivity. In addition, the system issued as a data source for management information, for production of summary statistics and analytical studies in support of the function for which these records are collected and maintained, or for related personnel management functions or manpower studies compiled by the staff or a contractor of the Commission. The system is used by members of advisory committees that are created by the Commission or by Congress to render advice and recommendations to the Commission or Congress in connection with their official designated functions; by any person with whom the Commission contracts to reproduce by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or by any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission. The system is used to respond to inquiries from members of Congress, other federal agencies, the press, and the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained on magnetic tape and computer disk files.

Retrievability:

Records are retrieved by work product identity elements (product category, docket number, task code, budget decision unit), organizational component (office, division, branch, section), report period, and position identifier. Records may be retrieved by an individual's name only during the calendar quarter for which the information is collected.

Safeguards:

The records are stored in a secured computer facility, with access limited to selected authorized TDRS project management personnel.

Retention and disposal:

Records will be maintained by employee and activity for the current or most recent calendar quarter. All employee staff hours will then be compiled into organizational level records and tranferred to a history file for permanent retention, with all references to individual staff hours removed.

System manager(s) and address: System Manager(s) and address:

Director, Office of Program Management, Federal Energy Regulatory Commission, Room 3311, 825 North Capital Street, NE, Washington, D.C. 20426.

Notification procedure:

See Appendix A.

Record access procedures: Records access procedures:

See Appendix A.

Contesting record procedures:

See Appendix A.

Record source categories:

Individuals covered by the system.

Appendix A

Notification procedure: Notification procedure: All requests to determine whether this system contains a record pertaining to a requesting individual should be made in accordance with the Commission's Rules of Practice and Procedure, 18 CFR 3b.220(a). Individuals should provide the appropriate identifying information as required by 18 CFR 3b.220(b).

Record access procedures: Record access procedure:

Requests for access to records in this system should be made in accordance with 18 CFR 3b.221. Individuals should provide the appropriate identifying information as specified in 18 CFR 3b.222.

Contesting record procedures: Contesting record procedures:

Requests to amend records should be made in accordance with 18 CFR 3b.224

Title 10-Energy

Chapter X-Department of Energy

PART 1008—RECORDS MAINTAINED ON INDIVIDUALS (PRIVACY ACT)

Subpart A—General Provisions

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1008.1 Purpose and scope.
1008.2 Definitions.
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Authority: Department of Energy Organization Act, Pub. L. 95–91, Executive Order 12091, 42 FR 46267, Privacy Act of 1974, Pub. L. 93–579 (5 U.S.C. 552a).

Source: 45 FR 61577, Sept. 16, 1980, unless otherwise noted.

Subpart A—General Provisions

§ 1008.1 Purpose and scope.

(a) This part establishes the procedures to implement the Privacy Act of 1974 (Pub. L. 93–579, 5 U.S.C. 552a) within the Department of Energy.

(b) This part applies to all systems of records, as defined in § 1008.2(m), maintained by DOE.

(c) This part applies to all divisions within the DOE, and to the personnel records of the Federal Energy Regulatory Commission (FERC), which are maintained by DOE on behalf of FERC. These regulations do not apply to other systems of records maintained by FERC. These regulations also apply to DOE contractors and their employees to the extent required by 5 U.S.C. 552a(m).

§ 1008.2 Definitions.

(a) "Department" or "Department of Energy (DOE)" means all organizational entities which are a part of the executive department created by Title II of the Department of Energy Organization Act, Pub. L. 95–91, except the Federal Energy Regulatory Commission (FERC).

(b) "Director, Office of Hearings and Appeals" means the Director or his delegate.

(c) "DOE locations" means each of the following DOE components:

(1) Alaska Power Administration, P.O. Box 50, Juneau, AK 88801.

(2) Albuquerque Operations Office, P.O. Box 5400, Albuquerque, NM 87115.

Note.—This office has cognizance over the following area offices: Amarillo, Dayton, Kansas City, Los Alamos, Pinellas, Rocky Flats and Sanria.

(3) Bartlesville Energy Technology Center, P.O. Box 1398, Bartlesville, OK 74003.

(4) Bonneville Power Administration, P.O. Box 3621, Portland, OR 97268.

(5) Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439.

Note.—This office has cognizance over the Batvia and Brookhaven area offices and the New Brunswick laboratory.

(6) Grand Forks Energy Technology Center, P.O. Box 8213, University Station, Grand Forks, ND 58201.

(7) Grand Junction Office, P.O. Box 2567, Grand Junction, CO 81502.

(8) Headquarters, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

(9) Idaho Operations Office, 550 Second Street, Idaho Falls, ID 83401

(10) Laramie Energy Technology Center, P.O. Box 3395, University Station, Laramie, WY 82070.

(11) Morgantown Energy Technology Center, P.O. Box 880, Morgantown, WV 26505.

(12) Nevada Operations Office, P.O. Box 14100, Las Vegas, NV 89114.

(13) Oak Ridge Operations Office, P.O. Box E, Oak Ridge, TN 37830.

(14) Oak Ridge Technical Information Center, P.O. Box 62, Oak Ridge, TN 37830.

(15) Pittsburgh Energy Technology Center, 4800 Forbes Avenue, Pittsburgh, PA 15213.

(16) Region I, Analex Building, Room 700, 150 Causeway Street, Boston, MA 02114.

(17) Region II, 26 Federal Plaza, Room 3206, New York, NY 10007.

(18) Region III, 1421 Cherry Street, 10th Floor, Philadelphia, PA 19102.

(19) Region IV, 1655 Peachtree Street, NE., 8th Floor, Atlanta, GA 30309.

(20) Region V, 175 West Jackson Boulevard, Room A–333, Chicago, IL 60604.

(21) Region VI, P.O. Box 35228, 2626 West Mockingbird Lane, Dallas, TX 75235.

(22) Region VII, Twelve Grand Building, 1150 Grand Avenue, Kansas City, MO 64106.

(23) Region VIII, P.O. Box 26247—Belmar Branch, 1075 South Yukon Street, Lakewood, CO 80226.

(24) Region IX, 111 Pine Street, Third Floor, San Francisco, CA 94111.

(25) Region X, 1992 Federal Building, 915 Second Avenue, Seattle, WA 98174.

(26) Richland Operations Office, P.O. Box 550, Richland, WA 99352.

(27) San Francisco Operations Office, 1333 Broadway, Wells Fargo Building, Oakland, CA 94612.

(28) Savannah River Operations Office, P.O. Box "A," Aiken, SC 29801.

(29) Southeastern Power Administration, Elberton, GA 30635.

(30) Southwestern Power Administration, P.O. Drawer 619, Tulsa, OK 74101

(31) Western Area Power Administration, P.O. Box 3402, Golden, CO 80401.

(d) "General Counsel" means the General Counsel provided for in Section 202(b) of the Department of Energy Organization Act, or any DOE attorney designated by the General Counsel.

(e) "Headquarters" means all DOE facilities functioning within the Washington, D.C. metropolitan area.

(f) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence, but does not include proprietorships, businesses, or corporations. Where appropriate, the term "individual" also includes a duly authorized representative of an individual.

(g) "Maintain" means maintain, collect, use, or disseminate.

(h) "Privacy Act Officer" means the person designated by the Director, Office of Administration, as responsible for administering the DOE's program for implementing the requirements of the Privacy Act of 1974 at the DOE locations listed at § 1008.2(c).

(i) "Record" means any item, collection, or grouping of information about an individual that is maintained by or for the DOE including, but not limited, to education, financial transactions, medical history, and criminal or employment history, and that contains that individual's name, or other identifying number, symbol, or other identifying particulars assigned to the individual, such as a finger or voice print or photograph. See subsection (a)(4) of the Act.

(j) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected. See subsection (a)(7) of the Act.

(k) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. section 8. See subsection (a)(6) of the Act.

(l) "System Manager" means the DOE official who is responsible for a system of records as designated in the system notice of that system of records published by DOE.

(m) "System of records" means a group of any records under DOE control from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particulars assigned to the individual. See subsection (a)(5) of the Act.

(n) "Act" means the Privacy Act of 1974, Pub. L. 93–579; references to subsections of the Act mean subsections of section 3 of the Act.

§ 1008.3 Employee standards of conduct with regard to privacy.

(a) The Headquarters DOE Privacy Act Officer shall assure that DOE personnel are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, (subsections (g) and (i) of the Act), and that DOE personnel are made aware of their responsibilities: To protect the security of personal information to assure its accuracy, relevance, timeliness and completeness; to avoid unauthorized disclosure; and to insure that no system of records concerning individuals, no matter how insignificant or specialized, is maintained without public notice.

(b) DOE personnel shall:

(1) Collect or maintain no information of a personal nature about individuals unless relevant and necessary to achieve a purpose or carry out a responsibility of the DOE as required by statute or by Executive Order. See subsection (e)(1) of the Act and § 1008.18(a).

(2) Collect information, wherever possible, directly from the individual to whom it pertains. See subsection (e)(2) of the Act and § 1009.19(a).

(3) Inform individuals from whom information is collected of the authority for collection, the principal purposes for which the information will be used, the routine uses that will be made of the information, and the effects of not furnishing the information. See subsection (e)(3) of the Act and § 1008.19(b).

(4) Collect, maintain, use or disseminate no information concerning an individual's rights guaranteed by the First Amendment, unless (i) the individual has volunteered such; or (ii) the information is expressly authorized by statute to be collected, maintained, used or disseminated; or (iii) the activities involved are pertinent to and within the scope of an authorized law enforcement activity. See subsection (e)(7) of the Act and § 1008.18(b).

(5) Advise their supervisors of the existence or proposal of any system of records which retrieves information about individuals by the individual's name or other identifying number, symbol, or identifying particulars assigned to the individual.

(6) Maintain an accounting, in the prescribed form, of all disclosures of information other than those to officers or employees who have a need for the record in the performance of their duties and those required under the Freedom of Information Act. See subsection (c) of the Act.

(7) Disclose no records other than to DOE personnel without the advance written consent of the individual, except as authorized by 5 U.S.C. 552a(b) including routine uses published in the **Federal Register**.

(8) Maintain and process information concerning individuals with care to insure that no inadvertent disclosure of the information is made. See subsection (e)(10) of the Act.

(9) Inform the proper DOE authorities of any information maintained in a DOE system of records which is not authorized by the Privacy Act of 1974.

(c) Heads of Headquarters Divisions and Offices and heads of the other DOE locations shall review annually the systems of records subject to their responsibility to insure compliance with the requirements of the Privacy Act of 1974.

§ 1008.4 Procedures for identifying the individual making a request for access to or amendment of records.

(a) When a request for information about or for access to or correction of a record pertaining to an individual and contained in a system of records has been made pursuant to § 1008.6, valid identification of the individual making the request shall be required before information will be given, access granted or a correction considered, to insure that information is given, corrected, or records disclosed or corrected only at the request of the proper person.

(b) Subject to paragraphs (c) and (d) of this section, an individual making a request may establish his identity by:

(1) Including with his request, if submitted by mail, a photocopy of two identifying documents bearing his name and signature, one of which shall bear his current home or business address and date of birth; or

(2) Appearing at the appropriate DOE location during the regular business hours and presenting either of the following:

(i) One identifying document bearing the individual's photograph and signature, such as a driver's license or passport; or

(ii) Two identifying documents bearing the individual's name and signature, one of which shall bear the individual's current home or business address and date of birth; or

(3) Providing such other proof of identity as the Privacy Act Officer deems satisfactory in the circumstances of a particular request.

(c) If the Privacy Act Officer or the appropriate System Manager determines that the information in a record is so sensitive that unauthorized access could cause harm or embarrassment to the individual whose record in involved, or if the individual making the request is unable to produce satisfactory evidence of identity under paragraph (b) or (d) of this section, the individual making the request may be required to submit a notarized statement attesting to his identity and his understanding of the criminal penalties provided under section 1001 of Title 18 of the United States Code for making false statements to a Government agency and under subsection (i)(3) of the Act for obtaining records under false pretenses. Copies of these statutory provisions and forms of such notarized statements may be obtained upon request from the Privacy Act Officer, Headquarters, Department of Energy, Washington, D.C.

(d) When an individual acting as the parent of a minor or the legal guardian of the person to whom a record pertains makes a request pursuant to § 1008.6 of this part—

(1) Such an individual shall establish his personal identity in the same manner required in either paragraph (b) or (c) of this section.

(2) In addition, such an individual shall establish his identity in the representative capacity of parent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of the legal guardian of a person who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the order from a court of competent jurisdiction.

(3) A parent or legal guardian may act only for a living individual, not for a decedent. Requests for the records of decedents will be handled under the Freedom of Information Act (5 U.S.C. 552).

§ 1008.5 Effect of the Freedom of Information Act (FOIA).

(a) DOE shall not rely on any exemption contained in the Freedom of Information Act (5 U.S.C. 552) to withhold from the individual to whom it pertains, any record which is otherwise accessible to such individual under this part.

(b) DOE shall rely on subsection (b) of the Privacy Act to withhold information from a person other than the person to whom the record pertains only when the information is also exempt from disclosure under the FOIA.

(c) Where a request for access to records is submitted pursuant to both the FOIA and the Privacy Act, the DOE shall, to the maximum extent possible, process the request under the provisions of this part, including the time limits of this part.

Subpart B—Requests for Access or Amendment

§ 1008.6 Procedures for Privacy Act requests.

(a) Any individual may—

(1) Ask the DOE whether a system of records maintained by the DOE contains records about him or her;

(2) Request access to information pertaining to him or her that is maintained in a DOE system of records;

(3) Request that information about him or her in a DOE system of records be amended or corrected. Requests for correction or amendment may include inquiries concerning—

(i) whether such information is relevant or necessary to accomplish a purpose that DOE is required to accomplish by statute or Executive Order; or

(ii) if the information is to be used by the DOE in making a determination about the individual, whether the information is as accurate, relevant, timely, or complete as is reasonably necessary to assure fairness in the determination.

(b) Requests submitted pursuant to this section shall—

(1) Be in writing and signed by the individual making the request;

(2) State that the request is a "Privacy Act Access" or "Privacy Act Amendment" request;

(3) Include the identification information required by § 1008.4;

(4) Specify, if possible, the title and identifying number of the system of records as listed in DOE's published notices of system of records;

(5) Provide if possible any additional information to aid DOE in responding to the request, for example, a description of the records sought;

(6) Indicate, as appropriate, the time, place, and form of access sought.

(c) Any request not addressed and marked as specified in paragraph (a) of this section shall be forwarded immediately to the appropriate Privacy Act Officer. An improperly addressed request will not be deemed to have been received for purposes of measuring time periods pursuant to §§ 1008.7 and 1008.10 until actual receipt by the appropriate Privacy Act Officer. The individual making the request shall be notified that the request was improperly addressed and the date when the request was received by the Privacy Act Officer.

(d) Assistance in preparing an access request pursuant to this section may be obtained from any DOE Privacy Act Officer at the locations listed at § 1008.2(e).

(e) An individual shall not be required to state a reason or otherwise justify his request for information or access to a record pertaining to him/her that is contained in a system of records.

§ 1008.7 Processing of requests.

(a) Receipt of a request made in accordance with § 1008.6 shall be promptly acknowledged by the Privacy Act Officer.

(b) Each request shall be acted upon promptly. Every effort will be made to respond within ten working days of the date of receipt by the System Manager or designee. If a response cannot be made within ten working days, the appropriate Privacy Act Officer shall send an interim response providing information on the status of the request, including an estimate of the time within which action is expected to be taken on the request and asking for any further information as may be necessary to respond to the request. Action will be completed as soon as possible, but not later than 20 working days after receipt of the original specific inquiry. In unusual circumstances and for good cause, the appropriate Privacy Act Officer may decide that action cannot be completed within the initial 20 working days. In such case, the appropriate Privacy Act Officer will advise the individual of the reason for the delay and the date (not to exceed an additional 20 working days) by which action can be expected to be completed.

(c) The term "unusual circumstances" as used in this section includes situations where a search for requested records from inactive storage is necessary; cases where a voluminous amount of data is involved; instances where information on other individuals must be separated or expunged from the particular record; and cases where consultation with other agencies which have substantial interest in the response to the request is necessary.

(d) Upon receiving a request, the Privacy Act Officer shall ascertain which System Manager or Managers of the DOE have primary responsibility for, custody of, or concern with the system or systems of records subject to the request and shall forward the request to such System Manager or Managers. The System Manager or Managers shall promptly identify and, in consultation with the General Counsel, review the records encompassed by the request.

(e) Where the request is for access to or information about records, after reviewing the material the System Manager or Managers concerned shall transmit to the Privacy Act Officer the requested material. The transmission to the Privacy Act Officer shall include any recommendation that the request be granted or wholly or partially denied and shall set forth any exemption categories supporting denials. Any denial recommendation must be concurred in by the appropriate General Counsel.

(f) Where the request is for correction or amendment of records, after reviewing the material the System Manager or Managers shall transmit a recommended decision to the Privacy Act Officer. Any recommendation that the request be granted or wholly or partially denied shall cite the exemption relied on and set forth the policy considerations supporting a denial. Any recommendation of denial must be concurred in by General Counsel.

§ 1008.8 Action in response to a request for access: Disclosure of requested information to subject individuals.

(a) Consistent with the recommendation of the System Manager and the concurrence of the appropriate General Counsel, the Privacy Act Officer shall provide to the requesting individual the information about or access to a record or information pertaining to the individual contained in a system of records, unless the request is being denied in accordance with § 1008.9 of this part. The Privacy Act Officer shall notify the individual of such determination and provide the following information:

(1) Whether there is information or a record pertaining to him that is contained in a system of records;

(2) The methods of access as set forth in paragraph (b) of this section;

(3) The place at which the record or information may be inspected;

(4) The earliest date on which the record or information may be inspected and the period of time that the record or information will remain available for inspection. In no event shall the earliest date be later than thirty calendar days from the date of notification.

(5) An indication that copies of the records are enclosed, or the estimated date by which a copy of the record could be mailed and the estimate of fees that would be charged to provide other than the first copy of the record, pursuant to § 1008.13.

(6) The fact that the individual, if he wishes, may be accompanied by another person during the in-person review of the record or information, provided that the individual shall first furnish to the Privacy Act Officer a written statement authorizing disclosure of that individual's record in the accompanying person's presence; and

(7) Any additional requirements that must be satisfied in order to provide information about or to grant access to the requested record or information.

(b) The following methods of access to records or information pertaining to an individual and contained in a system of records may be available to that individual depending on the circumstances of a particular request:

(1) A copy of the record may be enclosed with the initial response in accordance with paragraph (a) of this section;

(2) Inspection in person may be arranged during the regular business hours of the DOE in the office specified by the Privacy Act Officer;

(3) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the Privacy Act Officer determines that a suitable facility is available, that the individual's access can be properly supervised at that facility, and that transmittal of the records or information to that facility will not unduly interfere with operations of the DOE or involve unreasonable costs, in terms of money or manpower; and

(4) The requested number of copies in addition to the initial copy may be mailed at the request of the individual, subject to payment of the fees prescribed in § 1008.13.

(c) If the Privacy Act Officer believes, based upon a recommendation of the System Manager and the agency's medical officer, that disclosure of medical and/or psychological information directly to an individual could have an adverse effect upon that individual, the individual may be asked:

(1) To designate in writing a physician or mental health professional to whom he would like the records to be disclosed; or

(2) To submit a signed statement by his physician or a mental health professional indicating that, in his view, disclosure of the requested records or information directly to the individual will not have an adverse effect upon the individual. If the individual refuses to designate a physician or mental health professional, or to submit a signed statement from his physician or mental health professional as provided in paragraph (c) (1) and (2) of this section, the request will be considered denied, and the appeal rights provided in § 1008.11 will be available to the individual.

(d) The Privacy Act Officer shall supply such other information and assistance at the time of an individual's review of his record as is necessary to make the record intelligible to the individual.

(e) The DOE will, as required by subsection (d)(1), assure an individual's right "to review his or her record and have a copy made of all or any portion thereof in a form comprehensible to him." However, original records will be made available to individuals only under the supervision of the Privacy Act Officer or his designee. Individuals will be provided at their request with a copy, but not the original, of records pertaining to them.

§ 1008.9 Action in response to a request for access: initial denial of access.

(a) A request by an individual for information about or access to a record or information pertaining to that individual that is contained in a system of records may be denied only upon a determination by the appropriate System Manager, with the concurrence of the appropriate General Counsel, that:

(1) The record is subject to an exemption under § 1008.12;

(2) The record is information compiled in reasonable anticipation of a civil action or proceeding; or

(3) The individual has unreasonably failed to comply with the procedural requirements of this part.

(b) The Privacy Act Officer shall give written notice of the denial of a request of information about or access to records or information pertaining to the individual and contained in a system of records. Such written notice shall be sent by certified or registered mail, return receipt requested and shall include the following information:

(1) The System Manager's name and title;

(2) The reasons for the denial, including citation to the appropriate sections of the Privacy Act and this part; and

(3) Notification of the individual's right to appeal the denial pursuant to § 1008.11 and to administrative and judicial review under 5 U.S.C. 552a(g)(1)(B), as limited by 552a(g)(5).

(c) Nothing in this section shall:

(1) Require the furnishing of information or records that are not retrieved by the name or by some other identifying number, symbol or identifying particular of the individual making the request;

(2) Prevent a System Manager from waiving any exemption authorizing the denial of records, in accordance with § 1008.12.

§ 1008.10 Action in response to a request for correction or amendment of records.

(a) The Privacy Act Officer must respond in writing to the requester for amendment of a record within 10 working days of receipt. This response shall inform the requester of the decision whenever possible.

(b) If the decision cannot be reached within 10 working days, the requester shall be informed of the reason for delay and the date (within 20 working days) it is expected that the decision will be made.

(c) The Privacy Act Officer, consistent with the recommendation of the System Manager or Managers, as concurred in by the appropriate General Counsel, if appropriate, shall do one of the following:

(1) Instruct the System Manager to make the requested correction or amendment; and advise the individual in writing of such action, providing either a copy of the corrected or amended record, or a statement as to the means whereby the correction or amendment was accomplished in cases where a copy cannot be provided (for example, erasure of information from a record maintained only in an electronic data bank); or

(2) Inform the individual in writing that his request is denied in whole or in part. Such denial shall be sent by certified or registered mail, return receipt requested, and shall provide the following information:

(i) The System Manager's name and title;

(ii) The reasons for the denial; including citation to the appropriate sections of the Act and this part; and

(iii) Notification of the individual's right to appeal the denial pursuant to

§ 1008.11 and to administrative and judicial review under 5 U.S.C. 552a(g)(1)(B), as limited by 5 U.S.C. 552a(g)(5).

(iv) Notification of the right of the individual to submit a statement of disagreement consistent with § 1008.11(g).

(d) Whenever an individual's record is amended pursuant to a request by that individual, the Privacy Act Officer or the System Manager, as appropriate, shall notify all persons and agencies to which the amended portion of the record had been disclosed prior to its amendment, if an accounting of such disclosure was required by the Act. The notification shall request a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record and to apprise an agency or person to which it had disclosed the record of the substance of the amendment.

(e) The following criteria will be taken into account by the DOE in reviewing a request for amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information;

(3) The relevance and necessity of the information in relation to the purpose for which it was collected;

(4) If such information is used in making any determination about the individual, whether the information is as accurate, relevant, timely, and complete as is reasonably necessary to assure fairness to the individual in such determination;

(5) The degree of possibility that denial of the request could unfairly result in a determination adverse to the individual;

(6) The nature of the record sought to be corrected or amended; and

(7) The propriety and feasibility of complying with the specific means of amendment requested by the individual.

(f) The DOE will not undertake to gather evidence for the individual, but does reserve the right to verify the evidence that the individual submits.

(g) Amendment of a record requested by an individual may be denied upon a determination that:

(1) The individual has failed to establish, by a preponderance of the evidence, the propriety of the amendment in relation to the criteria stated in paragraph (e) of this section;

(2) The record sought to be amended was compiled in a terminated judicial, quasi-judicial or quasi-legislative proceeding to which the individual was a party or participant;

(3) The record sought to be amended is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual is a party or participant;

(4) The amendment would violate a duly enacted statute or promulgated regulation;

(5) The individual has unreasonably failed to comply with the procedural requirements of this part; or

(6) The record has been properly exempted from the provisions of subsection (d) of the Act.

(h) Nothing in this section shall restrict the DOE from granting in part or denying in part a request for amendment of records.

[45 FR 61577, Sept.16, 1980, as amended at 46 FR 31637, June 17, 1981]

§ 1008.11 Appeals of denials of requests pursuant to § 1008.6.

(a) Any individual may appeal the denial of a request made by him for information about or for access to or correction or amendment of records. An appeal shall be filed within 30 calendar days after receipt of the denial. When an appeal is filed by mail, the postmark is conclusive as to timeliness. The appeal shall be in writing and must be signed by the individual. The words "PRIVACY ACT APPEAL" should appear in capital letters on the envelope and the letter. Appeals of denials relating to records maintained in government-wide systems of records reported by the OPM, shall be filed, as appropriate, with the Assistant Director for Agency Compliance and Evaluation, Office of Personnel Management (OPM), 1900 E Street, NW, Washington, DC 20415. All other appeals relating to DOE records shall be directed to the Director, Office of Hearings and Appeals (OHA), Department of Energy, Headquarters, Washington, DC.

(b) An appeal not addressed and marked as specified in paragraph (a) of this section shall be forwarded immediately to the Assistant Director for Agency Compliance and Evaluation, OPM, or the Director, OHA, as appropriate. An appeal that is not properly addressed by an individual shall not be deemed to have been received for purposes of time periods in this section until actual receipt of the appeal by the Assistant Director, OPM, or the Director, OHA. In each instance when an appeal so forwarded is received, the individual filing the appeal shall be notified that the appeal was improperly addressed and the date when the appeal was received by the Assistant Director, OPM, or the Director, OHA.

(c) The appeal shall include the following:

(1) A copy of the original request for access or for amendment;

(2) A copy of the initial denial; and

(3) A statement of the reasons why the initial denial is believed to be in error.

(d) The records or record to which the individual was denied access, or which was requested to be corrected or amended, will be supplied to the appropriate appeal authority by the Privacy Act Officer who issued the initial denial. While such records normally will comprise the entire record on appeal, the appeal authority may seek such additional information as is necessary to assure that the final determination is fair and equitable.

(e) No personal appearance or hearing on appeal will be allowed.

(f) The appropriate appeal authority for DOE records shall act upon the appeal and issue a final determination in writing no later than 20 working days from the date on which the appeal is received. However, the appeal authority may extend the ten-day period upon a determination that a fair and equitable review cannot be made within that period. In such cases the individual shall be advised in writing of the reason for the extension and of the estimated date by which a final determination will be issued. The final determination shall be issued not later than the 30th working day after receipt of the appeal unless unusual circumstances, as defined in § 1008.7, are present, whereupon an additional 30 days may be extended.

(g) If an appeal of a denial of access is granted, a copy of the determination shall be transmitted promptly to the individual, the Privacy Act Officer and the appropriate System Manager. Upon receipt of the determination, the Privacy Act Officer promptly shall take action consistent with § 1008.8.

(h) If an appeal of a denial of correction or amendment is granted, the final determination shall identify the specific corrections or amendments to be made. A copy of the determination shall be transmitted promptly to the individual, the Privacy Act Officer and the appropriate System Manager. Upon receipt of the determination, the Privacy Act Officer promptly shall take steps to insure that the actions set forth in § 1008.10 (a) and (b) are taken.

(i) If the appeal of a denial of access is denied, the final determination shall state the reasons for the denial and shall be transmitted promptly to the individual, the Privacy Act Officer and the appropriate System Manager. The determination shall also include a statement identifying the right of the individual to administrative and judicial review pursuant to 5 U.S.C. 552a(g)(1)(B) as limited by 5 U.S.C. 552a(g)(5).

(j) If the appeal of a denial of correction or amendment is denied, the final determination shall state the reasons for the denial and shall be transmitted promptly to the individual, the Privacy Act Officer and the appropriate System Manager.

(1) The determination also shall include the following:

(i) Notice of the right of the individual to file with the Privacy Act Officer a concise, signed statement of reasons for disagreeing with the final determination, receipt of which statement will be acknowledged by the Privacy Act Officer.

(ii) An indication that any disagreement statement filed by the individual will be noted and appended to the disputed record and that a copy of the statement will be provided by the Privacy Act Officer or the System Manager, as appropriate, to persons and agencies to which the record is disclosed subsequent to the date of receipt of such statement;

(iii) An indication that the DOE shall append to any disagreement statement filed by the individual a copy of the final determination or a summary thereof, which determination or summary also will be provided to persons and agencies to which the disagreement statement is disclosed; and,

(iv) A statement of the right of the individual to administrative and judicial review under 5 U.S.C. 552a(g)(1)(B), as limited by 5 U.S.C. 552a(g)(5).

(2) Although a copy of the final determination or a summary thereof will be treated as part of the individual's record for purposes of disclosure in instances where the individual has filed a disagreement statement, it will not be subject to correction or amendment by the individual.

(3) Where an individual files a statement of disagreement consistent with paragraph (i)(1) of this section, the Privacy Act Officer shall take steps to insure that the actions provided in paragraph (j)(1)(i), (ii) and (iii) of this section are taken.

§ 1008.12 Exemptions.

(a) *General exemptions.* (1) *Generally.* 5 U.S.C. 552a(j)(2) allows the exemption of any system of records within the DOE from any part of section 552a except subsections (b), (c)(1) and (2), (e)(4)(A) through (F) (e)(6), (7), (9), (10), and (11), and (i) of the Act if the system of records is maintained by a DOE component which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and which consists of (i) information compiled for the purpose of identifying individual criminal offenders and alleged offenders; (ii) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (iii) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

(2) *Applicability of general exemptions to DOE systems of records. (i) Investigative Files of the Inspector General (DOE–54).* This system of records is being exempted pursuant to subsection (j)(2) of the Act in order to aid the Office of the Inspector General in the performance of its law enforcement function. The system is exempted from subsections (c)(3) and (4); (d)(1)–(4); (e)(1)–(3); (4)(G), (H), and (I); (5) and (8); and (g) of the Act. The system is exempt from these provisions for the following reasons: Notifying an individual at the individual's request of the existence of records in an investigative file pertaining to such individual, or granting access to an investigative file could (A) interfere with investigative and enforcement proceedings and with co-defendants' right to a fair trial; (B) disclose the identity of confidential sources and reveal confidential information supplied by these sources; and (C) disclose investigative techniques and procedures.

(b) *Specific exemptions.* Subsection (k) of the Privacy Act establishes seven categories of systems of records which may be exempted from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (7) of the Act. The Department has exempted systems of records under four of these provisions, as follows: (1) Classified material. (i) Subsection (k)(1) permits exemption of systems of records that are specifically authorized under criteria established under statute or Executive Order to be kept secret in the interest of national defense or foreign policy, and are in fact properly classified pursuant to such statute or Executive Order. Restricted Data and Formerly Restricted Data under the Atomic Energy Act of 1954, as amended, are included in this exemption.

(ii) The DOE systems of records listed below have been exempted under subsection (k)(1) to the extent they contain classified information, in order to prevent serious damage to the national defense or foreign policy that could arise from providing individuals access to classified information. Systems exempted under subsection (k)(1) are—

(A) Alien Visits and Participation (DOE–52).

(B) Clearance Board Cases (DOE–46).

(C) Security Correspondence Files (DOE–49).

(D) Foreign Travel Records (DOE–27)

(E) Legal Files (Claims, Litigations, Criminal Violation, Patents, and other Legal Files) (DOE–41).

(F) Personnel Security Clearance Files (DOE–43).

(G) Personnel Security Clearance Index (Automated) (DOE–42).

(H) Special Access Authorization for Categories of Classified Information (DOE–44).

(2) *Investigatory material compiled for law enforcement purposes.* (i) Subsection (k)(2) permits the exemption of investigatory material compiled for law enforcement purposes, *provided, however,* that if any individual is denied any right, privilege, or benefit to which he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(ii) The DOE systems of records listed below have been exempted under subsection (k)(2) in order to prevent subjects of investigation from frustrating the investigatory process through access to records about themselves or as a result of learning the identities of confidential informants; to prevent disclosure of investigative techniques; to maintain the ability to obtain necessary information; and thereby to insure the proper functioning and integrity of law enforcement activities. Systems of records exempted under subsection (k)(2) are—

(A) Alien Visits and Participation (DOE–52).

(B) Clearance Board Cases (DOE–46).

(C) Security Correspondence Files (DOE–49).

(D) Foreign Travel Records (DOE–27).

(E) Legal Files (Claims, Litigation, Criminal Violations, Patents, and other Legal Files) (DOE–41).

(F) Personnel Security Clearance Files (DOE–43).

(G) Personnel Security Clearance Index (Automated) (DOE–42).

(H) Special Access Authorization for Categories of Classified Information (DOE–44).

(I) DOE Personnel and General Employment Records (DOE–1) (only personnel investigative records concerning current and former DOE employees and applicants for employment by DOE).

(J) Investigative Files of the Inspector General (DOE–54) (only investigative records concerning past and present DOE employees).

(3) *Investigatory material compiled for determining suitability for Federal employment.* (i) Subsection (k)(5) permits exemption of systems of records that contain investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(ii) The DOE systems of records listed below have been exempted under subsection (k)(5) to the extent they contain the kinds of records described in subsection (k)(5) in order to maintain DOE's ability to obtain candid information on candidates for employment, contracts, or access to classified information and to fulfill commitments made to sources to protect the confidentiality of information, and thereby to facilitate proper selection or continuation of the best applicants or persons for a given position or contract. Systems exempted under subsection (k)(5) are—

(A) DOE Personnel and General Employment Records (DOE–1);

(B) Personnel Security Clearance Files (DOE–43);

(C) Investigative Files of the Inspector General (DOE–54);

(D) Alien Visits and Participation (DOE–52);

(E) Clearance Board Cases (DOE–46);

(F) Security Correspondence Files (DOE–49);

(G) Foreign Travel Records (DOE–27);

(H) Legal Files (Claims, Litigation, Criminal Violations, Patents, and other Legal Files) (DOE–41);

(I) Personnel Security Clearance Index (Automated) (DOE–42);

(J) Special Access Authorization for Categories of Classified Information (DOE–44);

(K) DOE Personnel: Supervisor-Maintained Personnel Records (DOE–2);

(L) Applications for DOE Employment (DOE–4).

(4) *Testing or examination material.* (i) Subsection (k)(6) permits exemption of systems of records that include testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing of examination process.

(ii) The DOE systems of records listed below have been exempted to the extent they contain testing or examination material in order to protect the integrity of the personnel testing and evaluation process and to avoid providing individuals with unfair advantage, by premature or unfair disclosure of testing or rating information. Systems exempted under Subsection (k)(6) are—

(A) (DOE–2) DOE Personnel: Supervisor-Maintained Personnel Records.

(B) (DOE–4) Applications for DOE Employment.

(C) (DOE–1) DOE Personnel and General Employment Records.

(c) *Application of exemptions to particular requests.* (1) The Privacy Act Officer, consistent with the recommendation of the System Manager and with concurrence of the appropriate General Counsel, may make available records which the DOE is authorized to withhold under this section.

(2) With respect to records containing material or information that would reveal the identity of a source who was given an assurance of confidentiality, a determination to make records available pursuant to paragraph (c)(1) of this section shall be made only if the source consents to the release of such information to the individual, or if it is determined that the material or information is not adverse or detrimental to the individual, or for good cause shown. The exercise of discretion with respect to waiver of the exemption shall be final.

(3) Prior to making a determination to deny access to a record in a system of records covered by exemption (k)(1) for classified material (see paragraph (b)(1) of this section), the System Manager shall consult with the Director, Division of Classification, to verify the current classification status of the information in the requested record.

§ 1008.13 Fees.

(a) The only fees to be charged to or collected from an individual under the provisions of this part are for copying records at the request of the individual. The fee charged shall be consistent with the fee schedule set forth in paragraph (b) of this section.

(1) No fees shall be charged or collected for the following: Search for and retrieval of records; review of records; copying by the DOE incident to granting access; copying at the initiative of the DOE without a request from the individual; copying when the aggregate of fees for copying is $25 or less; time spent providing copies; transportation of records and personnel; and first class postage.

(2) It is the policy of the DOE to provide an individual with one copy of each record corrected or amended pursuant to request without charge.

(3) As required by the Office of Personnel Management in its published regulations implementing the Act, the DOE will charge no fee for a single copy of a personnel record covered by that Commission's Government-wide published notice of systems of records.

(b) The schedule of fees is as follows:

(1) $.10 per copy of each page.

(2) For other forms of copying and other forms of materials (e.g., cassettes, computer materials), the direct cost of the materials, personnel, and equipment shall be charged, but only with prior specific approval of the person making the request, when such charges would be in excess of $25.

(c) The Privacy Act Officer may, upon application by an individual, furnish any records without charge or at a reduced rate, if the Privacy Act Officer determines that such waiver or reduction of fees is in the public interest.

(d) Payment shall be made by check or money order payable to the United States Department of Energy.

(e) Advance payment of all or part of the fees may be required at the discretion of the Privacy Act Officer. Unless the individual requesting the copies specifically states that he is willing to pay whatever fees are assessed for meeting the request or, alternatively, specifies an amount in excess of $25 that he is willing to pay and which in fact covers the anticipated fees for meeting the request, a request that is expected to involve assessed fees in excess of $25 shall not be deemed to have been received, for purposes of the time periods specified in § 1008.7 and § 1008.10 until the individual making the request is notified of the anticipated cost, agrees to bear it, and makes any advance deposit required. Such notification shall be made by the Privacy Act Officer as promptly as possible after receipt of the request.

§ 1008.14 Requests under false pretenses.

Subsection (i)(3) of the Act provides that any person who knowingly and willingly requests or obtains any record concerning an individual from an agency under false pretenses shall be quilty of a misdeamenaor and fined not more than $5,000.

§ 1008.15 Civil remedies.

Subsection (g) of the Act provides that an individual may bring suit against the DOE for a violation of the Privacy Act, as follows:

(a) If the DOE refuses to grant a request for access to an individual's records, the court may order the DOE to provide the individual with access to his or her records and award reasonable litigation costs and attorney's fees.

(b) If the DOE refuses to amend a record or fails to review an amendment request as required by subsection (d)(3) of the Act, the court may order the DOE to make the amendment and award reasonable litigation costs and attorney's fees.

(c) If the DOE makes an adverse determination based on a record which is not maintained in an accurate, timely, relevant, and complete manner, the individual may be awarded actual damages of at least $1,000. In order to prevail, the individual must show that—

(1) The DOE's action was willful and intentional; and

(2) The adverse determination was based on the faulty record.

(d) If the DOE fails to comply with any other provision of the Privacy Act or agency rule promulgated under the Act, in such a way as to have an adverse effect on the individual, the court may award actual damages of at least $1,000. In order to prevail, the individual must show that—

(1) The DOE's action was willful and intentional; and

(2) The agency's action had an adverse effort on the individual; and

(3) The adverse effect was causally related to the DOE's action.

Subpart C—Disclosure to Third Parties

§ 1008.16 Prohibition against disclosure.

Except as provided in § 1008.17, the DOE shall not disclose any record which is contained in a system of records, by any means of communication, to any agency or to any person other than the individual who is the subject of the record.

§ 1008.17 Conditions of disclosure.

(a) Notwithstanding the prohibition contained in § 1008.16, the DOE may disclose records covered by this part (1) to the individual to whom the record pertains or to an agency or (2) to a person other than the individual where he has given his prior written consent to the disclosure or has made a written request for such disclosure.

(b) Notwithstanding the prohibition contained in § 1008.16 the DOE may also disclose records covered by this part whenever the disclosure is:

(1) To officers and employees of the DOE who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552);

(3) For a routine use (as defined in § 1008.2) which is described in the **Federal Register** notice for the system of records which the disclosure is to be made;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law and if the head of the agency or instrumentality has made a written request to the DOE specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) To either House of Congress, or to any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee, to the extent of matter within its jurisdiction;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office;

(11) Pursuant to the order of a court of competent jurisdiction.

(c) Notwithstanding the prohibition contained in section § 1008.16 of this part, the DOE may also disclose records covered by this part when disseminating a corrected or amended record or notation of a disagreement statement as required by subsection (c)(4) of the Act.

§ 1008.18 Accounting for disclosures.

(a) For each disclosure of information contained in a system of records under his control, except disclosures to authorized officers and employees of DOE and disclosures required by the Freedom of Information Act, the appropriate System Manager shall keep an accurate accounting of:

(1) The date, nature, and purposes of each disclosure of a record made to any person or to another agency; and

(2) The name and address of the person or agency to which the disclosure was made.

(b) The accounting shall be retained for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

(c) The accounting described in paragraph (a) of this section shall be made available to the individual named in the record upon written request to the Privacy Act Officer at the appropriate DOE location listed at § 1008.2(c) of this part. However, the accounting shall not be revealed with respect to disclosures made under § 1008.17(b)(7) of this part, pertaining to law enforcement activity; or with respect to disclosures involving system of records for which DOE had claimed an exemption from certain requirements of the Act, as provided in § 1008.12 of this part.

(d) Whenever an amendment or correction of a record or a notation of dispute concerning the accuracy of records is made by the DOE in accordance with §1008.10(a)(2)(iv) and § 1008.11(g) of this part, DOE shall inform any person or other agency to whom the record was previously disclosed if an accounting of the disclosure was made pursuant to the requirements of paragraph (a) of this section, unless the disclosure was made pursuant to section § 1008.17(b)(7) of this part; or the disclosure involved a system of records of which DOE has claimed an exemption from certain requirements of the Act, as provided in § 1008.12 of this part.

(e) The System Manager shall make reasonable efforts to serve notice on an individual when any record containing information about such individual in a DOE system of records is disclosed to any person under compulsory legal process when such process becomes a matter of public record.

(f) Prior to disclosing any record about an individual to any person other than an agency, unless the disclosure is pursuant to the Freedom of Information Act, the System Manager shall make reasonable efforts to assure that each record is accurate, complete, timely, and relevant for DOE's purposes.

§ 1008.19 Criminal penalties—improper disclosure.

Subsection (i)(1) of the Act provides that a Federal employee who willfully discloses information subject to the Privacy Act in violation of the Act or rules promulgated under it shall be guilty of a misdemeanor and fined up to $5,000.

Subpart D—Maintenance and Establishment of Systems of Records

§ 1008.20 Content of systems of records.

(a) The DOE will maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose DOE is required to accomplish by statute or by Executive Order of the President, unless an exemption of this requirement has been claimed by DOE, as provided in § 1008.12 of this part.

(b) The DOE will maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless it is pertinent to and within the scope of an authorized law enforcement activity.

(c) The DOE will maintain all records that are used by it to make any determination about any individual with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual in such determination.

§ 1008.21 Collection of information by DOE about an individual for a system of records.

(a) The DOE will collect information, to the greatest extent practicable, directly from the subject individual when the use of the information may result in adverse determinations about an individual's rights, benefits and privileges under Federal programs, unless an exemption from the Act to this requirement has been claimed by DOE as provided in § 1008.12

(b) Unless an exemption from the Act has been claimed by DOE under subsection (j)(2), as provided in § 1008.12, DOE shall inform each individual whom it asks to supply information, on the form or other means by which it uses to collect the information, or on a separate form that can be retained by the individual, of the following:

(1) The authority (whether granted by statute or by Executive Order of the President) that authorizes the solicitation of the information and whether the provision of such information is mandatory or voluntary;

(2) The principal purpose or purposes for which the information is intended to be used;

(3) The routine uses that may be made of the information, as published in the **Federal Register** pursuant to the requirements of the Act; and

(4) The effect on the individual, if any, of not providing all or any part of the requested information.

§ 1008.22 Use and collection of social security numbers.

(a) The System Manager of each system of records which utilizes social security numbers as a method of identification without statutory authorization or authorization by regulation adopted prior to January 1, 1975, shall revise the system to avoid future collection and use of the social security numbers.

(b) Heads of Headquarters Divisions and Offices and heads of the other DOE locations shall insure that employees authorized to collect information from individuals are advised that individuals may not be required to furnish social security numbers without statutory authorization, and that individuals who are requested to provide social security numbers voluntarily must be advised that furnishing the number is not required and that no penalty or denial of benefits will flow from the refusal to provide it.

§ 1008.23 Public notice of systems of records.

(a) The DOE shall publish in the **Federal Register** at least annually a notice of the existence and character of each of its systems of records, which notice shall include:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The categories of records maintained in the system;

(4) Each routine use of the records contained in the system, including the categories of users and the purpose of such use, subject to paragraph (d) of this section;

(5) The policies and practices of the DOE regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) the title and business address of the DOE official who is responsible for the system of records;

(7) The DOE procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(8) The DOE procedures whereby an individual can be notified at his request about how he can gain access to any record pertaining to him contained in the system or records, and how he can contest its content: and

(9) the categories of source of records in the systems.

(b) Notwithstanding the requirements of paragraph (a) of this section, the notice of systems of records shall not necessarily include the information in paragraphs (a) (7)–(9) of this section if DOE has claimed a general or specific exemption from the requirements of the Act, as provided in § 1008.12.

(c) Copies of the notices as printed in the **Federal Register** shall be available at the DOE locations listed at § 1008.2(c). Requests by mail for copies of such notices should be sent to Privacy Act Officer, Headquarters, U.S. Department of Energy, Washington, DC, 20585. The first copy will be furnished free of charge. For each additional copy, the costs of printing and handling may be charged.

(d) DOE shall publish in the **Federal Register** notice of any new routine use or intended routine use of a record in the system of records, at least 30 calendar days prior to the implementation of any new routine use of a record in a system of records, or at least 30 calendar days prior to publication of the annual notice of such routine uses, as provided in paragraph (a) of this section, an opportunity for interested persons to submit written comments consisting of data, views, or arguments regarding such use to DOE, shall be provided.

§ 1008.24 Criminal penalties—failure to publish a system notice.

Subsection (i)(2) of the Act provides that an agency officer or employee who willfully maintains a system of records without publishing a system notice as required by subsection (e)(4) of the Act shall be guilty of a misdemeanor and fined up to $5,000.

Title 18-Conservation of Power, Water Resources

Chapter I-Federal Energy Regulatory Commission, Department of Energy

PART 3b—COLLECTION, MAINTENANCE, USE, AND DISSEMINATION OF RECORDS OF IDENTIFIABLE PERSONAL INFORMATION

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Subpart D—Rules for Exemptions

3b.250 Specific exemptions.

Authority: Federal Power Act, as amended, section 309, 49 Stat. 858–859 (16 U.S.C. 825h); Natural Gas Act, as amended, Section 16, 52 Stat. 830 (15 U.S.C. 717o); and Pub. L. No. 93–579 (88 Stat. 1896).

Source: Order No. 536, 40 FR 44288, Sept. 25, 1975, unless otherwise noted.

Subpart A—General

§ 3b.1 Purpose.

Part 3b describes the Federal Power Commission's program to implement the provisions of the Privacy Act of 1974 (Pub. L. No. 93–579, 88 Stat. 1896) to allow individuals to have a say in the collection and use of information which may be used in determinations affecting them. The program is structured to permit an individual to determine what records pertaining to him and filed under his individual name, or some other identifying particular, are collected, maintained, used or disseminated by the Commission, to permit him access to such records, and to correct or amend them, and to provide that the Commission collect, use, maintain and disseminate such information in a lawful manner for a necessary purpose.

§ 3b.2 Definitions.

In this part:

(a) "Agency", as defined in 5 U.S.C. 551(1) as "* * * each authority of the Government of the United States, whether or not it is within or subject to review by another agency, * * *", includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency (5 U.S.C. 552(e));

(b) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(c) "Maintain" includes, maintain, collect, use, or disseminate;

(d) "Record" means any item, collection or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(e) "System of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(f) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of title 13 of the United States Code;

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected; and

(h) "Disclosure" means either the transmittal of a copy of a record or the granting of access to a record, by oral, written, electronic or mechanical communication.

§ 3b.3 Notice requirements.

(a) The Commission will publish at least annually in the **Federal Register** a notice identifying the systems of records currently maintained by the Commission. For each system of records, the notice will include the following information:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The categories of records maintained in the system;

(4) The specific statutory provision or executive order, or rule or regulation issued pursuant thereto, authorizing the maintenance of the information contained in the system;

(5) Each routine use of the records contained in the system, including the categories of users and the purposes of such use;

(6) The policies and practices regarding the storage, retrievability, access controls, and retention and disposal of the records;

(7) The title and business address of the Commission official who is responsible for the system of records;

(8) The procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(9) The procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its contents; and

(10) The categories of sources of records in the system.

(b) At least thirty days prior to its operation, the Commission will publish in the **Federal Register** a notice of its intention to establish a new system of records reciting the information required pursuant to paragraphs (a) (1)–(10) of this section and notice of any major change to an existing system.

(c) The Commission will publish in the **Federal Register** a notice of its intention to establish any new or intended routine use of the information in an existing system of records at least thirty days prior to the disclosure of the record for that routine use. A new routine use is one which involves disclosure of records for a new purpose compatible with the purpose for which the record is maintained or which involves disclosure to a new recipient or category of recipients. At a minimum, the notice will contain the following information:

(1) The name of the system of records for which the routine use is to be established;

(2) The authority authorizing the maintenance of the information contained in the system;

(3) The categories of records maintained in the system;

(4) The proposed routine use(s);

(5) The categories of recipients for each proposed routine use; and

(6) Reference to the public notice in the **Federal Register** under which the existing system had already been published.

§ 3b.4 Government contractors.

Systems of records operated by a contractor, pursuant to a "contract," on behalf of the Commission, which are designed to accomplish a Commission function, are considered, for the purposes of this part, to be maintained by the Commission. A "contract" covers any contract, written or oral, subject to the Federal Procurement Regulations. The contractual instrument will specify, to the extent consistent with the Commission's authority to require it, that the systems of records be maintained in accordance with the requirements of this part.

§ 3b.5 Legal guardians.

For the purposes of this part, the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

Subpart B—Standards for Maintenance and Collection of Records

§ 3b.201 Content of records.

(a) All records which are maintained by the Commission in a system of records will contain only such information about an individual that is relevant and necessary to accomplish a purpose of the Commission as required to be accomplished by statute or by executive order of the President. Pursuant to § 3b.3(a)(4) of this part, the Commission will identify in the **Federal Register** the specific provisions in law which authorize it to maintain information in a system of records. In determining the "relevance" and "necessity" of records, the following considerations will govern:

(1) Whether each item of information relates to the purposes, in law, for which the system is maintained;

(2) The adverse consequences, if any, of not collecting the information;

(3) Whether the need for the information could be met through the maintenance of the information in a non-individually identifiable form;

(4) Whether the information in the record is required to be collected on every individual who is the subject of a record in the system or whether a sampling procedure would suffice;

(5) The length of time it is necessary to retain the information;

(6) The financial cost of maintaining the record as compared to the adverse consequences of not maintaining it; and

(7) Whether the information, while generally relevant and necessary to accomplish a statutory purpose, is specifically relevant and necessary only in certain cases.

(b) All records which the Commission maintains in a system of records and which are used to make a determination about an individual will be maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination. Where practicable, in questionable instances, reverification of pertinent information with the individual to whom the record pertains may be appropriate. In pursuit of "completeness" in the collection of information, the Commission will limit its records to those elements of information which clearly bear on the determination for which the records are intended to be used, assuring that all elements necessary to the determination are present before the determination is made.

(c) Prior to disseminating any records in a system of records, the Commission will make reasonable efforts to assure that such records are as accurate, relevant, timely, and complete as appropriate for the purposes for which they are collected and/or maintained, except when they are disclosed to a member of the public under the Freedom of Information Act, 5 U.S.C. 552, as amended, or to another agency.

(d) No records of the Commission in a system of records shall describe how any individual exercises his First Amendment rights unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity. The exercise of these rights includes, but is not limited to, religious and political beliefs, freedom of speech and of the press, and freedom of assembly and petition. In determining whether or not a particular activity constitutes the exercise of a right guaranteed by the First Amendment, the Commission will apply the broadest reasonable interpretation.

§ 3b.202 Collection of information from individuals concerned.

(a) Any information collected by the Commission for inclusion in a system of records which may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs, will, to the greatest extent practicable, be collected directly from the subject individual (see paragraph (d) of this section).

(b) The Commission will inform each individual whom it asks to supply information about himself, on the form which it uses to collect the information, or on a separate sheet that can be easily retained by the individual, in language which is explicit, informative, and easily understood, and not so lengthy as to deter an individual from reading it, of:

(1) The specific provision of the statute or executive order of the President, including the brief title or subject of that statute or order which authorizes the solicitation of the information; whether disclosure of such information is mandatory or voluntary; and whether the Commission is authorized or required to impose penalties for failing to respond;

(2) The principal purpose or purposes for which the information is intended to be used;

(3) The routine uses which may be made of the information, as described in the **Federal Register** in the notice of the system of records in which the information is maintained, and which are relatable and necessary to a purpose described pursuant to paragraph (b)(2) of this section; and

(4) The effects (beneficial and adverse) on the individual if any, of not providing all or any part of the requested information.

(c) Social security numbers will not be required from individuals whom the Commission asks to supply information unless the disclosure of the number is required by Federal statute or unless disclosure is to the Commission maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required pursuant to a statute or regulation adopted prior to such date to verify the identity of an individual. When an individual is requested to disclose his social security number to the Commission, he will be informed under what statutory or other authority such number is solicited, what uses will be made of it, whether disclosure is mandatory or voluntary, and if it is mandatory, under what provisions of law or regulation.

(d) The use of third-party sources to collect information about an individual may be appropriate in certain circumstances. In determining when the use of third-party sources would be appropriate, the following considerations will govern:

(1) When the information needed can only be obtained from a third party;

(2) When the cost of collecting the information directly from the individual concerned far exceeds the cost of collecting it from a third party;

(3) When there is little risk that the information proposed to be collected from the third party, if inaccurate, could result in an adverse determination about the individual concerned.

(4) When there is a need to insure the accuracy of information supplied by an individual by verifying it with a third party, or there is a need to obtain a qualitative assessment of the individual's capabilities or character; or

(5) When there are provisions for verifying any third-party information with the individual concerned before making a determination based on that information.

Third party sources, where feasible, will be informed of the purposes for which information which they are asked to provide will be used. In appropriate circumstances, pursuant to 5 U.S.C. 552a(k) (2), (5), and (7), the Commission may assure a third party that his identity will not be revealed to the subject of the collected information.

§ 3b.203 Rules of conduct.

(a) The Executive Director of the Commission has the overall administrative responsibility for implementing the provisions of the Privacy Act of 1974 and overseeing the conduct of all Commission employees with respect to the act.

(b) It is the responsibility of the Comptroller of the Commission, under the guidance of the Executive Director, to prepare the appropriate internal administrative procedures to assure that all persons involved in the design, development, or operation of any system of records, or in collecting, using, or disseminating any individual record, and who have access to any system of records, are informed of all rules and requirements of the Commission to protect the privacy of the individuals who are the subjects of the records, including the applicable provisions of the FPC Standards of Conduct for Employees, Special Government Employees and Commissioners, specifically 18 CFR 3.207(e) and 3.228(d).

(c) The Director, Office of Personnel Programs, is responsible for establishing and conducting an adequate training program for such persons whose official duties require access to and collection, maintenance, use, and dissemination of such records.

(d) The General Counsel of the Commission is responsible for providing legal interpretation of the Privacy Act of 1974, and for preparing all agency rules and notices for official publication in compliance with the act.

(e) Commission employees will be informed of all the implications of their actions in this area, including especially:

(1) That there are criminal penalties for knowing and willful unauthorized disclosure of material within a system of records; for willful failure to publish a public notice of the existence of a system of records; and for knowingly and willfully requesting or obtaining records under false pretenses;

(2) That the Commission may be subject to civil suit due to failure to amend an individual's record in accordance with his request or failure to review his request in conformity with § 3b.224; refusal to comply with an individual's request of access to a record under § 3b.221; willful or intentional failure to maintain a record accurately pursuant to § 3b.201(b) and consequently a determination is made which is adverse to the individual; or willful or intentional failure to comply with any other provision of the Privacy Act of 1974, or any rule promulgated thereunder, in such a way as to have an adverse effect upon an individual.

§ 3b.204 Safeguarding information in manual and computer-based record systems.

(a) The administrative and physical controls to protect the information in the manual and computer-based record systems from unauthorized access or disclosure will be specified for each system in the **Federal Register**. The system managers, who are responsible for providing protection and accountability of such records at all times and for insuring that the records are secured in proper containers whenever they are not in use or under direct control of authorized persons, will be identified for each system of records in the **Federal Register**.

(b) Whenever records in the manual or computer-based record systems, including input and output documents, punched cards, and magnetic tapes or disks, are not under the personal control of an authorized person, they will be stored in lockable containers and/or in a secured room, or in alternative storage systems which furnish an equivalent or greater degree of physical security. In this regard, the Commission may refer to security guidelines prepared by the General Services Administration, the Department of Commerce (National Bureau of Standards), or other agencies with appropriate knowledge and expertise.

(c) Access to and use of records will only be permitted to persons pursuant to §§ 3b.221, 3b.224, and 3b.225. Access to areas where records are stored will be limited to those persons whose official duties require work in such areas. Proper control of data, in any form, associated with the manual and computer-based record systems will be maintained at all times, including maintenance of an accounting of removal of the records from the storage area.

Subpart C—Rules for Disclosure of Records

§ 3b.220 Notification of maintenance of records to individuals concerned.

(a) Upon written request, either in person or by mail, to the appropriate system manager specified for each system of records, an individual will be notified whether a system of records maintained by the Commission and named by the individual contains a record or records pertaining to him and filed under his individual name, or some other identifying particular.

(b) The system manager may require appropriate identification pursuant to § 3b.222, and if necessary, may request from the individual additional information needed to locate the record which the individual should reasonably be expected to know, such as, but not limited to, date of birth, place of birth, and a parent's first name.

(c) When practicable, the system manager will provide a written acknowledgement of the inquiry within ten days of receipt of the inquiry (excluding Saturdays, Sundays and legal public holidays) and notification of whether or not a system of records maintained by the Commission and named by the individual contains a record pertaining to him and filed under his individual name or some other identifying particular. If the system manager is unable to provide an answer within the ten-day period, he will so inform the individual in writing, stating the reasons therefor (for good cause shown), and when it is anticipated that notification will be made. Such an extension will not exceed fifteen days from receipt of the inquiry (excluding Saturdays, Sundays, and legal public holidays).

(d) "For good cause shown", as used in all sections of this part, includes circumstances such as the following: Where a search for and/or collection of requested records from inactive storage, field offices, or other establishments is required; where a voluminous amount of data is involved; where information on other individuals must be separated or expunged from the record; or where consultations are required with other agencies or with others having a substantial interest in the determination of the request.

§ 3b.221 Access of records to individuals concerned.

(a) Upon written request, either in person or by mail, to the appropriate system manager specified for each system of records, any individual may gain access to records or information in a system of records pertaining to him and filed under his individual name, or some other identifying particular, to review and to have a copy made of all or any portion thereof in a form comprehensible to him.

(b) A person of his own choosing may accompany the individual to whom the record pertains when the record is disclosed [see § 3b.222(e)].

(c) Before disclosure, the following procedure may apply:

Medical or psychological records will be disclosed directly to the individual to whom they pertain unless, in the judgment of the system manager, in consultation with a medical doctor or a psychologist, access to such records could have an adverse effect upon the individual. When the system manager and a doctor determine that the disclosure of such information could have an adverse effect upon the individual to whom it pertains, the system manager may transmit such information to a medical doctor named by the requesting individual.

(d) The system manager will provide a written acknowledgement of the receipt of a request for access within ten days of receipt (excluding Saturdays, Sundays, and legal public holidays). Such acknowledgement may, if necessary, request any additional information needed to locate the record which the individual may reasonably be expected to know, and may require appropriate identification pursuant to § 3b.222 of this part. No acknowledgment is required if access can be granted within the ten-day period.

(1) If access can be granted, the system manager will notify the individual, in writing, as to when, and whether access will be granted in person or by mail, so that access will be provided within twenty days of the receipt of the request (excluding Saturdays, Sundays, and legal public holidays). If the system manager is unable to provide access within twenty days of receipt of the request, he will inform the individual in writing as to the reasons therefor (for good cause shown), and when it is anticipated that access will be granted. If the expected date of access indicated in the written notification to the individual cannot be met, the system manager will advise the individual in writing of the delay, the reasons therefor (for good cause shown), and of a revised date when access will be granted. Such extensions will not exceed thirty days from receipt of the request (excluding Saturdays, Sundays, and legal public holidays).

(2) If access cannot be granted, the system manager will inform the individual, in writing, within twenty days of receipt of the request (excluding Saturdays, Sundays, and legal public holidays) of the refusal of his request; the reasons for the refusal; the right of the individual, within thirty days of receipt of the refusal, to request in writing a review of the refusal by the Chairman of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, or by an officer designated by the Chairman pursuant to § 3b 224(f); and the right of the individual to seek advice or assistance from the system manager in obtaining such a review.

(e) The Chairman, or officer designated pursuant to § 3b.224(f), not later than thirty days (excluding Saturdays, Sundays, and legal public holidays) from the date of receipt of the individual's request for review will complete such review, unless, for good cause shown, the Chairman, or designated officer, extends the thirty-day period in writing to the individual with reasons for the delay and the approximate date on which the review is expected to be completed. Such an extension will not exceed thirty-five days from receipt of the request for review (excluding Saturdays, Sundays and legal public holidays). The Chairman, or designated officer, will make one of the following determinations:

(1) Grant the individual access to the requested record and notify the individual, in writing, as to when, and whether access will be granted in person or by mail; or

(2) Inform the individual in writing of the refusal, the reasons therefor, and the right of the individual to seek judicial review of the refusal of his request for access.

(f)(1) The Commission will deny an individual access to the following records pertaining to him:

(i) Information compiled in reasonable anticipation of a civil action or proceeding;

(ii) Records listed in the **Federal Register** as exempt from certain provisions of the Privacy Act of 1974, pursuant to Subpart D of this Part; and

(iii) Records which may be required to be withheld under other statutory provisions.

(2) The Commission will not deny an individual access to a record pertaining to him because that record is permitted to be withheld from members of the public under the Freedom of Information Act, 5 U.S.C. 552, as amended.

(g) Disclosure of an original record will take place in the presence of the Commission representative having physical custody of the record.

§ 3b.222 Identification requirements.

The appropriate system manager specified for each system of records will require reasonable identification from individuals to assure that records in a system of records are disclosed to the proper person. Identification requirements will be consistent with the nature of the records being disclosed.

(a) Disclosure of records to the individual to whom the record pertains, or under whose name or some other identifying particular the record is filed, in person, requires that the individual show an identification card. Employee identification, a Medicare card, or a driver's license are examples of acceptable identification. Documents incorporating a picture and signature of the individual are preferred.

(b) For records disclosed by mail, the system manager will require certain minimum identifying information: name, date of birth, or the system's personal identifier if known to the individual. A comparison of the signatures of the requester and those in the record will be used to determine identity.

(c) If the system manager determines that the data in the record is so sensitive that unauthorized access could cause harm or embarrassment to the individual involved, a signed notarized statement asserting identity or some other reasonable means to verify identity will be required.

(d) If an individual can provide no suitable information or documents for identification, the system manager will require a signed statement from the individual asserting his identity and stipulating that the individual understands that knowingly or willfully seeking or obtaining access to records about an individual under false pretenses is a misdemeanor punishable by a fine of up to $5,000.

(e) The system manager will require an individual who wishes to be accompanied by another person when reviewing his records to furnish a signed written statement authorizing discussion of his records in the presence of the accompanying person.

(f) The appropriate identification requirements of this section may be required by a system manager from an individual to whom a record does not pertain who seeks access to the record pursuant to § 3b.225.

(g) No individual will be denied notification of maintenance of a record pursuant to § 3b.220 or access to a record pursuant to §§ 3b.221 and 3b.224 for refusing to disclose a social security number.

(h) No verification of identity will be required of individuals seeking notification of or access to records which are otherwise available to a member of the public under the Freedom of Information Act, 5 U.S.C. 552, as amended.

§ 3b.223 Fees.

(a) Fees will be charged for the direct cost of duplication of records in a system of records when copies are requested by the individual seeking access to the records. Any person may obtain a copy of the Commission's schedule of fees by telephone, by mail or by coming in person to the office of the appropriate system manager who is responsible for the protection and accountability of the desired record. Requests for copies of requested records and payment therefor must be made to the system manager. Fees will only be charged for costs of $2 or more.

(b) Where practicable, self-service duplication of requested documents may also be made on duplicating machines by the person requesting the records, on a reimbursable basis to the system manager, in the presence of the Commission representative having physical custody of the record. Where data has been extracted from one of the Commission's systems of records on magnetic tape or disks, or computer files, copies of the records of these files may be secured on a reimbursable basis upon written request to the appropriate system manager. The fee will vary for each requirement, depending on size and complexity.

(c) No fee will be charged in the following instances:

(1) When the system manager determines that he can grant access to records only by providing a copy of the record through the mail because he cannot provide reasonable means for the individual to have access in person;

(2) For search and review of requested records to determine if they fall within the disclosure requirements of this part; and

(3) When the system manager makes a copy of the record as a necessary part of the process of making it available for review.

(d) Except for requests made by Government agencies, certification of copies of any official Commission record shall be accompanied by a fee of $2 per document.

§ 3b.224 Requests to amend records and disputes thereon.

(a) Upon written request, either in person or by mail, to the appropriate system manager specified for each system of records, any individual may amend records in a system of records pertaining to him and filed under his individual name or some other identifying particular. Such requests should contain identifying information needed to locate the record, a brief description of the item or items of information to be amended, and information in support of the request for amendment. The individual may obtain assistance in preparing his request to amend a record from the appropriate system manager.

(b) The system manager will provide a written acknowledgement of the receipt of a request to amend within ten days of receipt (excluding Saturdays, Sundays, and legal public holidays). Such an acknowledgement may, if necessary, request any additional information needed to make a determination which the individual may reasonably be expected to know, and verification of identity consistent with § 3b.222. The acknowledgement will clearly describe the request and advise the individual requesting the amendment when he may expect to be notified of action taken on the request. No acknowledgement is required if the request can be reviewed, processed, and the individual notified of compliance or denial within the ten-day period.

(c) The system manager will complete the review and advise the individual in writing of the results within twenty days of the receipt of the request (excluding Saturdays, Sundays, and legal public holidays). If the system manager is unable to complete the review within twenty days of the receipt of the request, he will inform the individual in writing as to the reasons therefor (for good cause shown) and when it is anticipated that the review will be completed. If the completion date for the review indicated in the acknowledgement cannot be met, the system manager will advise the individual in writing of the delay, the reasons therefor (for good cause shown), and of a revised date when the review may be expected to be completed. Such extensions will not exceed thirty days from receipt of the request (excluding Saturdays, Sundays, and legal public holidays). The system manager will take one of the following actions:

(1) Make the requested correction or amendment; so advise the individual in writing; and, where an accounting of the disclosure of the record was made pursuant to § 3b.226, advise all previous recipients of the record in writing of the fact that the amendment was made and the substance of the amendment [see § 3b.225(d)]; or

(2) Inform the individual in writing of the refusal to amend the record in accordance with the request; the reasons for the refusal including any of the standards which were employed pursuant to paragraph (d) of this section in conducting the review; the right of the individual, within thirty days of receipt of the refusal, to request in writing a review of the refusal by the Chairman of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, or by an officer designated by the Chairman pursuant to paragraph (f) of this section; and the right of the individual to seek advice or assistance from the system manager in obtaining such a review.

(d) In reviewing a record in response to a request to amend, the system manager and the Chairman, or the officer he designates pursuant to paragraph (f) of this section, shall assess the accuracy, relevance, timeliness and completeness of the record. They shall consider the record in terms of the criteria established in § 3b.201.

(e) The Chairman, or officer designated pursuant to paragraph (f) of this section, not later than thirty days (excluding Saturdays, Sundays, and legal public holidays) from the date of receipt of the individual's request for review, will complete such review, unless, for good cause shown, the Chairman, or designated officer, extends the thirty-day period in a writing to the individual with reasons for the delay and the approximate date on which the review is expected to be completed. Such an extension will not exceed thirty-five days from receipt of the request for review (excluding Saturdays, Sundays, and legal public holidays). The Chairman, or designated officer, will make one of the following determinations:

(1) Make the correction in accordance with the individual's request and proceed as in paragraph (c)(1) of this section; or

(2) Inform the individual in writing of:

(i) The refusal to amend the record in accordance with the request,

(ii) The reasons therefor, including any of the standards which were employed pursuant to paragraph (d) of this section in conducting the review;

(iii) The right of the individual to file with the Chairman, or designated officer, a concise written statement setting forth the reasons for his disagreement with the decision;

(iv) The fact that the statement of disagreement will be made available to anyone to whom the record is subsequently disclosed, together with the portion of the record which is disputed clearly noted, and, with, at the discretion of the Chairman, or designated officer, a brief statement by the Chairman, or designated officer, summarizing the reasons for refusing to amend the record;

(v) Where an accounting of the disclosure of the record was made pursuant to § 3b.226, the fact that prior recipients of the disputed record will be provided a copy of the individual's statement of disagreement, with the portion of the record which is disputed clearly noted, and, at the Chairman's or designated officer's discretion, the statement summarizing the refusal to amend [see § 3b.225(d)]; and

(vi) The individual's right to seek judicial review of the refusal to amend.

(f) The Chairman may designate, in writing, another officer of the Commission to act in his capacity for the purposes of this part. The officer will be organizationally independent of or senior to the system manager who made the initial determination and will conduct a review independent of the initial determination.

§ 3b.225 Written consent for disclosure.

(a) The Commission will not disclose any record which is contained in a system of records by any means of communication to any person, or to any other agency, unless it has the written request by, or the prior written consent of, the individual to whom the record pertains and under whose individual name, or some other identifying particular, the record is filed. The written request or consent should include, at a minimum, the general purposes for or the types of recipients to whom disclosure may be made. The fact that an individual is informed of the purposes for which information will be used when information is collected pursuant to § 3b.202(b)(2) will not constitute consent.

(b) A written request or consent is not required if the disclosure is:

(1) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(2) Required under the provisions of the Freedom of Information Act, 5 U.S.C. 552, as amended;

(3) For a routine use as defined in § 3b.2(g) of this part and as described in the public notice for each system of records;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13 of the United States Code;

(5) To a recipient who has provided the appropriate system manager specified for each system of records with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable. The written statement of assurance should include at a minimum:

(i) A statement of the purpose for requesting the record; and

(ii) Certification that the record will only be used for statistical purposes.

In addition to stripping personally identifying information from records released for statistical purposes, the system manager will ensure that the identity of the individual cannot reasonably be deduced or determined by combining various statistical records, or by reference to public records or other available sources of information;

(6) To the National Archives of the United States, pursuant to 44 U.S.C. 2103, as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for the evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality, or his delegated official, has made a written request to the appropriate system manager specifying the particular portion of the record desired and the law enforcement activity for which the record is being sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual (not necessarily the individual to whom the record pertains), if, upon disclosure, notification of such is sent to the last known address of the individual to whom the record pertains;

(9) To either House of Congress, or to any committee or subcommittee thereof, on a matter within its jurisdiction;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

(c) When a record is disclosed under compulsory legal process and such process becomes a matter of public record, the system manager will make reasonable efforts to notify the individual to whom the record pertains. A notice will be sent to the individual's last known address noted in the Commission's files.

(d) The appropriate system manager shall notify all prior recipients of records, disclosure to whom an accounting was made pursuant to § 3b.226, of any amendments made to the records, including corrections, amendments and notations of dispute made pursuant to §§ 3b.224(c)(1) and 3b.224(e)(1) and (2)(v), within ten days of receipt of the corrected information or notation of dispute (excluding Saturdays, Sundays, and legal public holidays), except under unusual circumstances (see circumstances described in § 3b.220(d)).

(e) The content of the records disclosed under this section shall be maintained pursuant to the standards established in § 3b.201(c).

§ 3b.226 Accounting of disclosures.

(a) The appropriate system manager specified for each system of records will keep an accurate written account of all disclosures of records made to any person or to any other agency with the written consent or at the written request of the individual to whom the record pertains and pursuant to § 3b.225(b)(3)–(11). The account will include the following information:

(1) The date, nature, and purpose of each disclosure;

(2) The name and address of the person or agency to whom the disclosure is made; and

(3) A reference to the justification or basis upon which the release was made, including reference to any written document required as when records are released for statistical or law enforcement purposes pursuant to § 3b.225(b) (5) and (7).

(b) Each system manager will retain the accounting made under paragraph (a) of this section for at least five years from the date of disclosure for which the accounting is made, or the life of the record, which ever is longer.

(c) Except for disclosures made for law enforcement purposes pursuant to § 3b.225(b)(7), and unless the system of records has been exempted from this provision pursuant to Subpart D of this part, each system manager will make the accounting made under paragraph (a) of this section available to the individual named in the record at his written request.

(d) The accounting of disclosures is not a system of records under the definition in § 3b.2(e) and no accounting will be maintained for disclosure of the accounting of disclosures.

§ 3b.227 Mailing lists.

An individual's name and address maintained by the Commission will not be sold or rented for commercial or other solicitation purposes not related to the purposes for which the information was collected, unless such sale or rental is specifically authorized by law. This provision shall not be construed to require the withholding of names or addresses otherwise permitted to be made public, as pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended.

Subpart D—Rules for Exemptions

§ 3b.250 Specific exemptions.

Any system of records maintained by the Commission may be exempt from certain provisions of the Privacy Act of 1974, and the appropriate sections of this part promulgated pursuant thereto, if the following requirements are met:

(a) The system of records falls within one or more of the following categories:

(1) Records subject to the provisions of 5 U.S.C. 552(b)(1) as classified material;

(2) Investigatory material compiled for law enforcement purposes [except to the extent that the system is more broadly exempt under 5 U.S.C. 552a(j)(2) covering records maintained by an agency whose principal function pertains to the enforcement of criminal laws] provided, however, that is such record is used as a basis for denying an individual any right, privilege, or benefit to which the individual would be entitled in the absence of that record, the individual must be granted access to that record except to the extent that access would reveal the identity of a confidential source who furnished the information to the Government under an express promise that his identity would be held in confidence, or, prior to September 27, 1975, under an implied promise that his identity would be held in confidence;

(3) Records maintained to provide protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056;

(4) Records required by statute to be maintained and used solely as statistical records;

(5) Investigatory material compiled solely for determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that his identity would be held in confidence, or, prior to September 27, 1975, under an implied promise that his identity would be held in confidence;

(6) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(7) Material used to evaluate potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished the information to the Government under an express promise that his identity would be held in confidence, or, prior to September 27, 1975, under an implied promise that his identity would be held in confidence;

(b) Publication in the **Federal Register** is made in accordance with the requirements (including general public notice) of the Administrative Procedure Act, 5 U.S.C. 553, to include, at a minimum:

(1) The name of the system of records;

(2) The specific provision or provisions of the Privacy Act of 1974, and the appropriate sections of this Part promulgated pursuant thereto, from which the system is to be exempted; and

(3) The reasons for the exemption; and

(c) The system of records is exempted from one or more of the following provisions of the Privacy Act and the appropriate sections of this part promulgated pursuant thereto:

(1) 5 U.S.C. 552a(c)(3); 18 CFR 3b.226(c)—Making the accounting of disclosures available to the individual named in the record at his request;

(2) 5 U.S.C. 552a(d); 18 CFR 3b.221, 3b.224—Granting an individual the right of access to his records and permitting him to request amendment of such;

(3) 5 U.S.C. 552a(e)(1); 18 CFR 3b.201(a)—Requiring maintenance of relevant and necessary information in a system of records as required by statute or executive order of the President;

(4) 5 U.S.C. 552a(e)(4)(G); 18 CFR 3b.3(a)(8)—Requiring a description of procedures for determining if a system contains a record on an individual in the public notice of the system of records;

(5) 5 U.S.C. 552a(e)(4)(H); 18 CFR 3b.3(a)(9)—Requiring a description of procedures for gaining access to and contesting the contents of a record in the public notice of the system of records;

(6) 5 U.S.C. 552a(e)(4)(I); 18 CFR 3b.3(a)(10)—Requiring a description of the categories of the sources of records in the public notice of the system of records; and

(7) 5 U.S.C. 552a(f); 18 CFR 3b.220–3b.224—Requiring agency rules for determining if an individual is the subject of a record, for handling requests for access, for granting requests for access, for amending records, and for fees.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

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*Systems are Department-wide with Office of the Secretary policy guidance but with local operational control.

09-90-0001

System name:

Telephone Directory/Locator System, HHS/OS/ASMB/OMAS

Security classification:

None.

System location:

Operating Offices and Facility Complexes of the Department—Employee Locators and Offices of Administrative or Management Services.

Categories of individuals covered by the system:

Current employees of the Department and vendor or other Federal employees located in Department operating offices and facility complexes.

Categories of records in the system:

Name, title, agency office address, agency mailing address, telephone number, standard administrative code, and social security number.

Authority for maintenance of the system:

5 U.S.C. 301, 40 U.S.C. 486(c).

Purpose(s):

The records are used to develop and maintain current employee locator and directory listings. The locator listings are used by the HHS information centers, mailrooms, and others specifically for the purpose of locating employees and for routing mail. The directory listings are used to produce departmental telephone directories on an as needed basis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Variously stored in card files, computer printouts, paper forms, magnetic tape.

Retrievability:

Alphabetically by employee name in certain instances, also by agency and/or title. Some large systems use the SSN as control to update, change or delete information on individuals no longer within this system of records.

Safeguards:

Only authorized personnel have access to master lists which contain social security numbers.

Retention and disposal:

Retained as long as individual is employed by or associated with the Department, then information deleted from files by appropriate method.

System manager(s) and address:

Telecommunications management officials of the Department—See Appendix.

Notification procedure:

Direct inquiries to appropriate systems manager identified in Appendix.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Individual employee.

Systems exempted from certain provisions of the act:

None.

Appendix

Department Policy Coordinator:
Telecommunications Management Officer, Department of
Health, and Human Services, Office of the Assistant Secretary
for Management and Budget, Office of Management Analysis
and Systems, 200 Independence Avenue, SW, Washington,
DC 20201.

PHS Policy Coordinator:
Telecommunications Management Officer, Office of the
Assistant Secretary for Health, Office of Management, Office
of Organization and Management Systems, Division of
Management Sciences and Systems, 5600 Fishers Lane,
Rockville, MD 20857.

Operating System Managers:
Office of the Secretary, Deputy Director, Division of
Administrative Services, Office of Management Services, 330
Independence Ave., SW, Room 1739, Washington, DC 20201.

Human Development Services, Director, Division of
Administrative Services, 200 Independence Ave., SW, Room
309B, Washington, DC 20201.

Public Health Service, Chief, Communications Section,
Administrative Services Center, 5600 Fishers Lane, Rockville,
MD 20857.

Public Health Service, Centers for Disease Control, Chief,
Communications Records and Space Branch, 1600 Clifton
Road, Atlanta, GA 30333.

Public Health Service, Food and Drug Administration, Chief,
Services Management Section, Division of Management
Services, 5600 Fishers Lane, Rockville, MD 20857.

Public Health Service, Chief, General Services Branch, USPHS
Hospital, Carville, LA 70721.

Health Care Financing Administration, Director, Division of
Communications Services, 591 East High Rise Bldg., 6325
Security Blvd., Baltimore, MD 21207.

Social Security Administration, Communications Systems
Branch, 6401 Security Boulevard, Room 1-N-9—Annex,
Baltimore, MD 21235.

Region I, HHS Director, Division of Administrative Services,
JFK Federal Building, Boston, MA 02203.

Region II, HHS Director, Division of Administrative Services,
26 Federal Plaza, New York, NY 10007.

Region III, HHS Director, Division of Administrative Services,
3535 Market Street, Philadelphia, PA 19101.

Region IV, HHS Director, Division of Administrative Services,
101 Marietta Tower, Suite 1502, Atlanta, GA 30323.

Region V, HHS Director, Division of Administrative Services,
300 South Wacker Drive, Chicago, IL 60606.

Region VI, HHS Director, Division of Administrative Services,
1200 Main Tower, Dallas, TX 75202.

Region VII, HHS Director, Division of Administrative Services,
601 East 12th Street, Kansas City, MO 64106.

Region VIII, HHS Director, Division of Administrative
Services, 1961 Stout Street, Denver, CO 80294.

Region IX, HHS Director, Division of Administrative Services,
50 United Nations Plaza, San Francisco, CA 94102.

Region X, HHS Director, Division of Administrative Services,
1321 Second Avenue, Seattle, WA 98101.

09-90-0002

System name:

Investigatory Material Compiled for Security and Suitability Purposes, HHS/OS/OIG.

Security classification:

None for the system; however, a portion of the records within the system are classified at the level of Confidential and Secret.

System location:

Security and Protection Division, Room 523B, Humphrey Building, U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Prospective, current, and, former employees and others doing business with the Department.

Categories of records in the system:

Personnel security and suitability investigations.

Authority for maintenance of the system:

Executive Orders 10450 and 12356.

Purpose(s):

Records in this system are maintained to assist the Secretary and other responsible officials in determining whether the appointment and retention of HHS employees is clearly consistent with the national security and whether they are otherwise suitable for employment. This system contains records of certain applicants to and employees of each Department component. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used as follows:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(5) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in security type vaults or safes or lock bar file cabinets with manipulation proof combination locks.

Retrievability:

The records are alphabetically indexed by name and date of birth of the individual subject of the file or by cross reference to another file. Access within HHS is limited to the Secretary, and on a need-to-know basis to other Department officials having program management responsibility.

Safeguards:

Direct access is restricted to authorized OIG staff; access within HHS is limited to the Secretary, Under Secretary and other officials and employees on a need-to-know basis. Access to the safes in which the records are stored is limited to those OIG employees with appropriate security clearances and the lock combination.

Retention and disposal:

Security investigative records on individuals who occupy sensitive positions are maintained during the term of their employment. Other security and suitability investigative records are maintained for ten years if subject to EO 10450. Other files may be destroyed after three years.

System manager(s) and address:

Director, Security and Protection Division, Office of
Investigations, OIG, Room 523B, Humphrey Bldg., U.S.
Department of Health and Human Services, 200 Independence
Avenue, SW, Washington, D.C. 20201.

Notification procedure:

Exempt. However, consideration will be given requests addressed to the system manager. For general inquiries, include the name and date of birth, and employment or other affiliation with the Department.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Exempt. However, consideration will be given requests addressed to the systems manager. Requests for correction should reasonably identify the record and specify the information to be contested, the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

Federal, state or local agencies maintaining civil, criminal, suitability or other relevant enforcement information or other pertinent information correspondence and material or data obtained during the course of the conduct of the investigations.

Systems exempted from certain provisions of the act:

Exempt from certain provisions of the Act under 5 U.S.C. 552a(k)(5). Pursuant to 45 CFR 5b.11(b)(2)(iv)(A), this system is exempt from the following subsections of the Act: (c)(3), (d)(1)-(4), and (e)(4) (G) and (H).

09-90-0003

System name:

Criminal Investigative Files of the Inspector General HHS/OS/OIG.

Security classification:

None.

System location:

Office of the Inspector General, HHS Room 5246 North Bldg.,
330 Independence Ave., SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Employees, former employees, grantees, contractors, sub-contractors, carriers, State agencies, State employees, providers and recipients under HHS programs, providers and recipients under State programs funded by the Department and others doing business with the Department.

Categories of records in the system:

Criminal Investigation Files.

Authority for maintenance of the system:

28 U.S.C. 535(b), 18 U.S.C.; Pub. L. 94-505, Oct. 15, 1976.

Purpose(s):

Pursuant to Pub. L. 94-505, this system is maintained for the purposes of conducting and documenting investigations conducted by OIG or other investigative agencies regarding HHS programs and operations, documenting the outcome of OIG reviews of allegations and complaints received concerning HHS programs operations, aiding in prosecutions brought against the subjects of OIG investigations, maintaining a record of the activities which were the subject of investigations, reporting the results of investigations to other Departmental components for their use in operating and evaluating their programs and in imposition of civil or administration sanctions, and acting as a repository and source for information necessary to fulfill the reporting requirements of 42 U.S.C. 3524

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. In the event that this system of records, maintained by this Agency to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside of OIG.

b. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

c. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

d. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

e. In the event that this system of records, maintained by this agency to carry out its function, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local, charged with the responsibility of investigating or prosecuting the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside OIG.

f. Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

g. When the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system, relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safequards with respect to such records.

h. Disclosures may be made to organizations deemed qualified by the Secretary to carry out quality assessment.

i. There may also be disclosures in the course of employee discipline or competence determination proceedings.

j. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

k. In event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

l. A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records, if necessary to obtain a record relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records, which take the form of index cards, investigative reports, computer disc files, and computer printed listings are maintained under secure conditions. Written documents are maintained in security type safes or lock bar file cabinets with manipulation proof combination locks. Computer disc files are on-line in guarded mantrapped dual door combination locked computer rooms.

Retrievability:

The records are retrieved by manual or computer search of alphabetical indices or cross-indices. Indices list names of individuals, companies and organizations.

Safeguards:

Direct access is restricted to authorized staff members of the Office of Inspector General. Access within HHS is limited to the Secretary, Under-Secretary, Inspector General and other officials and employees on a need-to-know basis. Intra-agency transfers are made in accordance with the statement of Organization, Functions and Delegations of Authority as set out in a notice concerning the Office of Inspector General (42 FR 17531, April 1, 1977). All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HHS, ADP Systems Manual, Part 6, "ADP Systems Security." All computer discs are password protected, prohibiting unauthorized access. See also storage section of notice.

Retention and disposal:

Investigative files are retained for 5 years after completion of the investigation and/or actions based thereon. Index and cross-reference cards are retained permanently. In instances of computer matching of files, only those records which meet predetermined criteria for investigation are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes are returned or destroyed once computer matching has been accomplished.

System manager(s) and address:

Inspector General/Deputy Inspector General, Room 5262,
North Building, U.S. Department of Health and Human
Services, 330 Independence Avenue, SW, Washington, D.C.
20201.

Notification procedure:

Exempt, however consideration will be given requests addressed to the system manager. For general inquiries include the name and date of birth of the individual.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under system manager(s) and address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification.

Record source categories:

Departmental and other federal, state, and local government records; interviewers of witnesses; documents and other material furnished by nongovernment sources. Sources may include confidential sources.

Systems exempted from certain provisions of the act:

General exemption (j)(2), this system was formerly known as the Investigatory Materials compiled for Law Enforcement Purposes system. Pursuant to 45 CFR 5b.11, (b)(2)(i)(b), (40 FR 47413, Oct. 8, 1975) this system is exempt from the following subsections of the Act (c)(3), (d)(1)–(4), (e)(3), and (e)(4)(G)(h).

09–90–0005

System name:

Safety Management Information System (HHS Accident, Injury and Illness Reporting System), HHS/OS/ASMB/OFE/OSOH.

Security classification:

None.

System location:

At Departmental, Regional and Headquarters facilities (see Appendix.

Categories of individuals covered by the system:

1. HHS employees, including both civilian and commissioned corps personnel, who are involved in an accident which arises out of and in the course of their employment whether occurring on HHS premises or not and results in:

a. A fatality.

b. Lost workdays beyond the day in which the accident occurred.

c. Nonfatal injuries which result in transfer to another job, termination of employment, medical treatment other than first aid, loss of consciousness or restriction of work or motion.

d. A possible tort claim.

e. A claim for compensation.

f. Property damage in excess of 50.00 dollars..

g. Interrupts or interferes with the orderly progress of work of other employees.

h. Radiation over exposure.

i. Biological exposure resulting in lost time of accidental release of biologicals where the public may be over-exposed.

2. Visiting scientists, contractor personnel, hospitalized patients, out-patients, employees of other Federal agencies, state or local governments or members of the public who suffer injury, illness or property damage on or in HHS premises or as a result of HHS activities.

Categories of records in the system:

This system consists of a variety of information and supporting documentations resulting from the reporting and investigation of accidents which have resulted in injury, illness, property damage or the interruption or interference with the orderly progress of work. The records contain information about individuals involved in or experiencing accidents including but not limited to the severity of the injury, whether consciousness was lost, the type of injury, culmination of any injury, days lost from work if any, the nature of the injury, illness or disease, the body part affected, causal factors, weather factors, agency of accident, whether unsafe mechanical, physical, or personal acts or factors were involved, the accidents area of origin and if fire was involved, the type and form of materials involved. Property damage (both public and private) is noted through the property sequence number, who owned the property involved, property damage and actual or estimated monetary loss, the HHS installation number if appropriate and the year of manufacture or construction if appropriate. Identifiers relating to a particular accident include the organization, case number assigned, date and time of occurrence, state or territory, site, type and classification of accident, estimated amount of tort claims if appropriate, name of individual(s) involved, the social security number, sex, age, grade series and level, CSC series, address, other Departments notified of accident, duty status, activity at time of accident and time on duty before accident. Management's evaluation and corrective action taken or proposed is also noted.

Authority for maintenance of the system:

Section 19 of the Occupational Safety and Health Act of 1970 (Pub. L. 91-596); U.S.C. 7902; 29 CFR Part 1960; Executive Order No. 12196.

Purpose(s):

The purpose of the system is to comply with the reporting and statistical analyses requirements of section 19 of the Occupational Safety and Health Act of 1970 (Pub L. 91-596) as amended (29 U.S.C. 668); U.S.C. 7902; 29 CFR Part 1960; Executive Order 12196 and such other purposes as are described under routine uses of this system notice. The Safety Management Information System is a Department-wide system utilized by all organizational components of the Department. Thus in addition to the routine uses subsequently noted in this system notice there may be other ad hoc disclosures within the Department on an official business "need to know" basis.

a. Establish a written record of the causes of accidents.

b. Provide information to initiate and support corrective or preventive action.

c. Provide statistical information relating to accidents resulting in occupational injuries, illnesses, and/or property damage.

d. Provide management with information with which to evaluate the effectiveness of safety management programs.

e. Provide the means for complying with the reporting requirements of Section 19 of the Occupational Safety and Health Act of 1970 and such other reporting requirements as may be required by legislative or regulative requirements.

f. Provide such other summary descriptive statistics and analytical studies as necessary in support of the function for which the records are collected and maintained including general requests for statistical information without personal identification of individuals.

g. Information in these records is used by or may be disclosed to: a. The Office of Safety and Occupational Health, Office of the Secretary, HHS in the review of accident experience data to determine the adequacy of corrective actions, the effect of codes, standards and guides, the consolidation, summarization and dissemination of accident experience data throughout HHS and other Government Departments and agencies as needed or required. b. The supervisor, administrative officer or other official initiating and accident report, including each succeeding reviewing official in the chain of command through which the report passes to insure that corrective action, as needed and appropriate, is taken. c. Appropriately appointed Safety Directors, Officers, or others with safety responsibilities within the Department in the verifying, assembling, analyzing, summarizing and disseminating data concerning the accident experience in their areas of responsibility and the initiation of appropriate corrective action.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A. To request from a Federal, state, local agency or private sources information relevant to the investigation of an accident and/or corrective action.

B. To respond to an inquiry from a member of Congress made on behalf of a constituent.

C. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

D. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

E. In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are or may be maintained on magnetic tapes, punchcards, lists, forms, discs, computer storage, in file folders, binders and index cards.

Retrievability:

1. At the Department level, the system is completely computerized with no other records normally maintained or retained in the Office of Safety and Occupational Health. Since individual indentifiers such as name, case number, and social security number are not within the computer storage banks, special programming would be required to extract individual records based on case number. Normal output consists of statistical reports and surveys including those required by the Department of Labor and Statistical Analysis in support of the Department occupational safety and health program for dissemination to the Principal Operating Components, Regions and Staff Offices.

2. The Principal Operating Components of the Department, their sub-components, Regional Offices and Staff Offices may maintain original or copies of the accident reports and supporting documentation by name, social security number, case number or cross reference.

Safeguards:

Access to and use of those records is made available to those personnel having a legitimate need for the information (those whose duties require review or access) including inspecting or evaluating personnel. Records, which under the law, may not be disclosed such as information pertinent to national security or trade secrets are maintained separately, adequately safeguarded and released only in accordance with the law. When there is doubt regarding the release of information, the matter will be referred, in advance of release, to the Office of the General Counsel, HHS.

Retention and disposal:

All accident reports, records, logs, and other information relating to an accident are retained by the Principal Operating Components and their agencies, the Regional Offices and the Office of the Secretary for at least five years following the end of the calendar year in which the accident occurred. Specific occupational safety and health standards (such as the standards, covering the handing of carcinogenic chemicals) may be required to be kept for up to twenty years. Records may be retained indefinitely.

System manager(s) and address:

Director, Office of Safety and Occupational Health, Department
of Health and Human Services, 330 Independence Avenue,
SW, Washington, D.C. 20201.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should address their inquiries to one of the following as appropriate:

1. If employed or formerly employed in a HHS Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix).

2. If employed or formerly employed in a HHS Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed with the exception of the Food and Drug Administration (see list and addresses under appendix). The contact for the Food and Drug Administration is:

Privacy Act Coordinator, Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20857.

Individuals requesting information about this system of records should provide their full name, social security number, name and address of office and agency in which currently or formerly employed and the accident(s) case number if known.

Record access procedures:

Individuals wishing to gain access to or contest their records should contact the following in person or writing as appropriate, with the exception of Food and Drug Administration. See "Notification" above.

1. If employed or formerly employed in an HHS Regional Office, the Regional Occupational and Health Manager of the Region involved (see list and addresses under appendix).

2. If employed or formerly employed in an HHS Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed. (See list and addresses under appendix.) Individuals requesting information in this system of records should provide their full name, social security number (on a purely voluntary basis), case number if known, time and brief description of the accident in which they were involved and the name and address of office in which employed. (Access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information in this system is obtained from the following sources: (1) The individual to whom the record pertains; (2) witnesses to the accident; (3) investigation officials (Federal, state, local); (4) medical personnel seeing the individual as a result of the accident; (5) supervisory personnel; (6) reviewing officials; (7) personnel offices; (8) investigative material furnished by Federal, state, or local agencies; (9) on site observations.

Systems exempted from certain provisions of the act:

None.

Appendix

Region I, HHS Regional Safety and Occupational Health
Manager, John F. Kennedy Federal Building—Room 1503,
Government Center, Boston, Massachusetts 02203.

Region II, HHS Regional Safety and Occupational Health
Manager, Federal Building—Room 3835, 26 Federal Plaza,
New York, New York 10007.

Region III, HHS Regional Safety and Occupational Health
Manager, 3535 Market Street, Philadelphia, Pennsylvania
19101.

Region IV, HHS Regional Safety and Occupational Health
Manager, Suite 1503—101 Marietta Tower, Atlanta, Georgia
30323.

Region V, HHS Regional Safety and Occupational Health
Manager, 300 South Wacker Drive—35th Floor, Chicago,
Illinois 60606.

Region VI, HHS Regional Safety and Occupational Health
Manager, 1200 Main Tower Bldg., Dallas, Texas 75202.

Region VII, HHS Regional Safety and Occupational Health
Manager, 601 East 12th Street—Room 566, Kansas City,
Missouri 64106.

Region VIII, HHS Regional Safety and Occupational Health
Manager, 1961 Stout Street—Room 11037, Denver, Colorado
80202.

Region IX, HHS Regional Safety and Occupational Health
Manager, Federal Office Building—Room 8, 50 United
Nations Plaza, San Francisco, California 94102.

Region X, HHS Regional Safety and Occupational Health
Manager, Arcade Plaza—Room 6003, 1321 Second Avenue,
Seattle, Washington 98101.

Health Care Financing Administration: Safety Officer, A-1
Gwynn Oak Building, 1710 Gwynn Oak Avenue, Woodlawn,
Md. 21207.

Social Security Administration: Director, Occupational Health
Management, Rm. 8, Second Floor, Link Bldg., 6401 Security
Boulevard, Baltimore, Maryland 21235.

Office of the Secretary, HHS Safety Officer, 1073 HHS-N,
Department of Health and Human Services, 330 Independence
Avenue SW., Washington, D.C. 20201.

Public Health Service: Director, Division of Health Facilities
Planning, Room 18-42—Parklawn Building, 5600 Fishers
Lane, Rockville, Maryland 20857.

Alcohol, Drug Abuse, and Mental Health Administration: Safety
Officer, Room 12C26—Parklawn Building, 5600 Fishers Lane,
Rockville, Maryland 20857.

Center for Disease Control: Chief, Office of Biosafety, Bldg. 4—
Room 232, 1600 Clifton Road NE., Atlanta, Georgia 30333.

Food and Drug Administration: Privacy Act Coordinator,
Rockville, Maryland 20857.

Health Resources Administration: Safety Officer, Rm. 129,
Federal Center Bldg. 2, 3700 East-West Highway, Hyattsville,
Md. 20782.

National Institutes of Health: Chief, Occupational Safety and
Health Branch, DS, ORS, Building 13, Room 3K04, 9000
Rockville Pike, Bethesda Maryland 20205.

09-90-0006

System name:

Applicants for Employment Records, HHS/OS/ASPER.

Security classification:

None.

System location:

This system is located in personnel offices and other offices of the Department authorized to receive applications for employment. See Appendix 1.

Categories of individuals covered by the system:

Persons who have applied for Federal employment or are employed in the Federal service.

Categories of records in the system:

These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions and offenses against the law; results of written tests; appraisal of potential; honors, awards or fellowships; military service; veterans preference, birthplace; birth date; social security number,; and home address of persons who have applied for Federal employment or are employed in the Federal service and correspondence related thereto. These records may also include information concerning the date of application, qualification status, employment consideration, priority grouping, and other information relating to the consideration of the individual for employment.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, 3302, Executive Order 10577.

Purpose(s):

Records in this system are used to determine individuals' eligibility and evaluate their qualifications for placement in positions within the Department. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used: (1) To respond to requests for information from the Office of Personnel Management, Members of Congress, or other inquiries from outside the Department, to the extent their request is compatible with the purpose for which the records are maintained.

(2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(3) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(6) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(7) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(8) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tapes, discs, drums, punched cards, microfiche, cards, lists, and forms.

Retrievability:

Records are indexed by any combination of name, birth date, social security number and identification number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained until the applicant is selected for a position, or for two years. After the applicant is selected for a position, the records are filed in the Official Personnel Folder which is retained until the employee leaves the Department. If the applicant is not selected for a position within two years, the records are destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-1, item 15.)

System manager(s) and address:

Personnel Officers of the Department. See Appendix 1.

Notification procedure:

Personnel office to which application is made (see Appendix 1). Individual should provide name, date of birth, social security number, approximate date of record and title of position for which application was made.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is provided by the individual to whom it applies, is derived from information he or she supplied; or is obtained from information supplied by others.

Systems exempted from certain provisions of the act:

None.

Appendix 1

Personnel Offices in Department of Health and Human Services
Office of the Assistant Secretary for Personnel Administration,
Department of Health and Human Services, 200 Independence
Avenue, SW, Washington, D.C. 20201

Headquarters Personnel Offices:
Personnel Officer, Division of OS Personnel, Office of the
Secretary, Department of Health and Human Services, Room
4361—4th Floor, 330 Independence Avenue, SW, Washington,
D.C. 20201

Personnel Officer, Office of Human Development Services,
Department of Health and Human Services, Room 351D,
Humphrey Building, 200 Independence Ave., SW,
Washington, DC 20201
Director, Office of Management, Budget and Personnel
(OMBP), Social Security Administration, Department of
Health and Human Services, Room 718, Altmeyer Building,
6401 Security Boulevard, Baltimore, Maryland 21235

Personnel Officer, Office of Hearings and Appeals, Social Security Administration, Department of Health and Human Services, Room 201, 3833 North Fairfax Drive, Arlington, Virginia 22203

Director, Division of Human Resources, Heath Care Financing Administration, Department of Health and Human Services, Room G-H-5, East Low Rise Building, 6325 Security Blvd., Baltimore, Maryland 21207

Personnel Officer, Office of Community Services, Department of Health and Human Services, Room 531, 1200 19th Street, NW., Washington, DC 20506

Director, Office of Personnel Management, Public Health Service, Department of Health and Human Services, Room 18A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Director, Office of the Assistant Secretary for Health, Personnel Operations Office, Department of Health and Human Services, Room 17-34, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Director, Division of Personnel Management, Alcohol, Drug Abuse and Mental Health Administration, Department of Health and Human Services, Room 1295, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Personnel Director, Personnel Management Office, Centers for Disease Control, Department of Health and Human Services, Building 1, Room 153A, 1600 Clifton Road, NE, Atlanta, Georgia 30333

Personnel Officer, Division of Personnel Management, Food and Drug Administration, Department of Health and Human Services, Room 4B-21, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Director, Division of Personnel, Health Resources and Services Administration, Department of Health and Human Services, Room 14A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Director, Division of Personnel Management, National Institutes of Health, Department of Health and Human Services, Room 21, Building 1, 9000 Rockville Pike, Bethesda, Maryland 20205

Personnel Officer, Personnel Office, National Library of Medicine, Department of Health and Human Services, 8600 Rockville Pike, Room M-105, Bethesda, Maryland 20209

Chief, Personnel Management Branch, National Cancer Institute, Department of Health and Human Services, Room 3A19, Building 31, 9000 Rockville Pike, Bethesda, Maryland 20205

Chief, Personnel Management Branch, National Heart and Lung Institute, Department of Health and Human Services, Room 5A32, Building 31, 9000 Rockville Pike, Bethesda, Maryland 20205

Personnel Officer, Saint Elizabeths Hospital, ADAMHA, Department of Health and Human Services, Room 120, E-Building, 2700 Martin Luther King Avenue, SE., Washington, DC 20032

Personnel Director, Bureau of Health Manpower, Department of Health and Human Services, Room 5B-44, Building 31, 9000 Rockville Pike, Bethesda, Maryland 20015

Regional Personnel Offices:

Regional Personnel Officer, Region I, Department of Health and Human Services, John F. Kennedy Federal Building, Government Center—Room 1503, Boston, Massachusetts 02203

Regional Personnel Officer, Region II, Department of Health and Human Services, Federal Building, Room 39-100, 26 Federal Plaza, New York, New York 10278

Personnel Liaison Unit, Suite 610, Housing Investment Building, 416 Ponce de Leon Avenue, Hato Rey, Puerto Rico 00918

Regional Personnel Officer, Region III, Department of Health and Human Services, 3535 Market Street, Room 9460, Philadelphia, Pennsylvania 19101

Regional Personnel Officer, Region IV, Department of Health and Human Services, Suite 1601, 101 Marietta Tower, Atlanta, Georgia 30323

Regional Personnel Officer, Region V, Department of Health and Human Services, 31st Floor, 300 S. Wacker Drive, Chicago, Illinois 60606

Regional Personnel Officer, Region VI, Department of Health and Human Services, 18th Floor, 1200 Main Tower Bldg., Dallas, Texas 75202

Personnel Officer, National Institute of Environmental Health Services, Department of Health and Human Services, P.O. Box 12233, Research Triangle Park, North Carolina 27709

Regional Personnel Officer, Region VII, Department of Health and Human Services, Room 468, 601 E. 12th Street, Kansas City, Missouri 64106

Regional Personnel Officer, Region VIII, Department of Health and Human Services, Room 1031, Federal Office Building, 1961 Stout Street, Denver, Colorado 80294

Regional Personnel Officer, Region IX, Department of Health and Human Services, 50 United Nations Plaza, San Francisco, California 94102

Regional Personnel Officer, Region X, Department of Health and Human Services, Room 6039 Arcade Plaza Building, 1321 Second Avenue, Mail Stop 627, Seattle, Washington 98101

Other Personnel Offices:

Chief, Personnel Office, Cleveland Branch Office, Region V, Department of Health and Human Services, 14600 Detroit Avenue, Room 500, Cleveland, Ohio 44107

Southern California Operating Center, Region IX, 24000 Avila Road, 4th Floor, Laguna Niguel, California 92677

Personnel Officer, U S. Public Health Service Hospital, Personnel Section, Department of Health and Human Services, Carville, Louisiana 70721

Personnel Officer, Indian Health Service, Personnel Management Branch, Department of Health and Human Services, P.O. Box 2143, Billings, Montana 59103

Personnel Officer, Indian Health Service, Personnel Section,
Department of Health and Human Services, 4005 Federal
Office Building, 500 Gold Avenue, SW, Albuquerque, New
Mexico 87101

Personnel Officer, Indian Health Service, Personnel
Management Branch, Department of Health and Human
Services, 115 4th Avenue, SE., Aberdeen, South Dakota 57401

Personnel Officer, Indian Health Service, Personnel
Management Branch, Department of Health and Human
Services, 801 East Indian School Road, Phoenix, Arizona
85014

Personnel Officer, Indian Health Service, Personnel Branch,
Department of Health and Human Services, 388 Old Post
Office and Courthouse, Oklahoma City, Oklahoma 73102

Personnel Officer, Alaska Area Office, Indian Health Service,
Department of Health and Human Services, P.O. Box 7-741,
Anchorage, Alaska 99501

Personnel Officer, Indian Health Area Office, Office of
Personnel, Department of Health and Human Services, Room
200, 921 SW. Washington Street, Portland, Oregon 97205

Personnel Officer, Indian Health Service, Office of Personnel,
Department of Health and Human Services, P.O. Box G,
Window Rock, Arizona 86515

Personnel Officer, Addiction Research Center, National Institute
of Drug Abuse, ADAMHA, Department of Health and
Human Services, P.O. Box 12390, Lexington, Kentucky 40511

Personnel Officer, National Institute for Occupational Safety and
Health, Department of Health and Human Services, Room
540, U.S. Post Office and Courthouse, 5th and Walnut Street,
Cincinnati, Ohio 45202

Chief, Personnel Branch, Mid-Atlantic Program Service Center,
Social Security Administration, Department of Health and
Human Services, P.O. Box 14008, Philadelphia, Pennsylvania
19108

Chief, Personnel Branch, Northeastern Program Service Center,
Social Security Administration, Department of Health and
Human Services, 9605 Horace Harding Expressway, Flushing,
New York 11368

Chief, Personnel Branch, Southeastern Program Service Center,
Social Security Administration, Department of Health and
Human Services, 2001 12th Avenue, North, Birmingham,
Alabama 35285

Chief, Richmond Personnel Operations Center, Western
Program Service Center, Social Security Administration,
Department of Health and Human Services, P.O. Box 2431,
Richmond, California 94802
Chief, Personnel Branch, Great Lakes Program Service Center,
Social Security Administration, Department of Health and
Human Services, 165 North Canal Street, Chicago, Illinois
60606

Chief, Personnel Branch, Mid-America Program Service Center,
Social Security Administration, Department of Health and
Human Services, P.O. Box 15186, Kansas City, Missouri 64106

Personnel Officer, Albuquerque Data Operations Center, Social
Security Administration, Department of Health and Human
Services, P.O. Box 4429, Station "A", Albuquerque, New
Mexico 87106

Personnel Officer, Salinas Data Operations Center, Social
Security Administration, Department of Health and Human
Services, 100 East Alvin Drive, Salinas, California 93906

Chief, Personnel Branch, Wilkes-Barre Data Operations Center,
Social Security Administration, Department of Health and
Human Services, V.A. Bldg., Rm. 512, 19 North Main Street,
Wilkes-Barre, Pennsylvania 18701

09-90-0007

System name:

Complaints and Inquiries Records—Miscellaneous, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system:

Current and former employees of the Department.

Categories of records in the system:

This system consists of records relating to an individual's employment status or conduct while employed by the Department. Examples of these records include: Correspondence from employees, Members of Congress, and members of the public alleging misconduct by an employee of the Department, miscellaneous complaints not covered by the Department's formal or informal grievance procedure, informal complaints handled by labor union officials, and miscellaneous debt correspondence received from creditors.

Authority for maintenance of the system:

Executive Orders 11222, 10561 and 11491.

Purpose(s):

Records in this system are maintained to initiate, investigate and resolve various complaints and inquiries made by or against Department employees. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(3) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the

relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(7) Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) the Federal Mediation and Conciliation Service, and to an arbitrator, in carrying out their functions.

(8) To respond to Members of Congress and members of the public with regard to complaints or inquiries presented by them.

(9) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(10) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Filed in folders and index cards.

Retrievability:

Records are filed by name. Records are used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies; and for other purposes compatible with the intent for which the records system was created.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Records are retained until there is no further administrative need for them, the individual leaves the Department, or one year has elapsed, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-2, item 7.)

System manager(s) and address:

Personnel Officers shown in Appendix 1 to Applicants for Employment Records, HHS System 09-90-0006, who service organizational units in which individuals are employed.

Notification procedure:

Operating officials in organizational unit in which employee is employed or personnel officers shown as systems managers in Appendix 1 Applicants for Employment Records, HHS System 09-90-0006. Individuals should provide name, organization in which employed, and date of birth.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is obtained: (1) Directly from the individual, or (2) derived from information supplied by the individual, or (3) from information supplied by members of the public, other employees, Members of Congress, Department management officials, or (4) from police and court records relevant to the complaint about the employee.

09-90-0008

System name:

Conflict of Interest Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel Offices of the Department (See Applicants for Employment Records, HHS System 09-90-0006, Appendix 1) or authorized approving officials to be identified by those Personnel Offices.

Categories of individuals covered by the system:

Incumbents of Department positions the duties of which are of such a nature that incumbent's outside activities may come in conflict with the incumbent's official duties.

Categories of records in the system:

This system consists of a variety of records relating to an employee's conduct and outside activities. In addition to the name of the employee, position title, grade, salary, pay plan, and employing organization, the system includes information about outside employment, outside compensation and related information.

Authority for maintenance of the system:

Executive Order 11222.

Purpose(s):

Records in this system are used to determine whether an employee's financial interests or outside activities are in conflict with the employee's duties as a Federal employee. Records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records may be used: (1) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) the Federal Mediation and Conciliation Service, and to an arbitrator, in carrying out their functions.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issued a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(7) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(8) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Conflict of Interest Records are maintained in file folders.

Retrievability:

Records are retrievable by name. They may be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for other purposes compatible with the intent for which the records system was created.

Safeguards:

These records are treated as controlled for Official Use Only and made available only to persons specifically authorized to receive them.

Retention and disposal:

Records are retained until 2 years after the individual discontinues the activity for which approval was required, or until the individual leaves the Department, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-1, item 25.)

System manager(s) and address:

Personnel Offices of the Department shown in Appendix 1 to Applicants for Employment Records, HHS System 09-90-0006.

Notification procedure:

For incumbents who are in position under the Executive Schedule; Office of the Secretary Staff Office Heads; or Principal Regional Officials contact: Deputy Assistant Secretary for Personnel, Office of Personnel, Department of Health and Human Services, 200 Independence Avenue, SW, Washington, D.C. 20201.

For incumbents of positions in the Food and Drug Administration, contact: Director, Policy Management Staff, HFA-20, Food and Drug Administration, 5600 Fisher Lane, Rockville, Maryland 20857.

For incumbents of other positions included in this records system, contact the Personnel Office shown in Appendix 1 to Applicants for Employment Records, HHS System 09-90-0006, which services the organizational units in which the individual is employed. The individual should indicate name, position title, grade and series, and organization in which located.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials or other persons such as trustee, attorney, accountant, relative.

09-90-0009

System name:

Discrimination Complaints Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Office of the Deputy Assistant Secretary for EEO, 200 Independence Avenue, SW, Washington, D.C. 20201.

Offices of designated EEO Officers.

See Appendix 1 for exact locations.

Categories of individuals covered by the system:

Individuals, classes of individuals or organizations which have consulted an EEO Counselor regarding discrimination on the basis of race, color, religion, sex, national origin, physical disability or age because of a determination or decision made by a Department official or which have filed a formal allegation of discrimination.

Categories of records in the system:

This system of records contains information or documents concerning pre-complaint processing and formal allegations of discrimination. The records consist of counselors' reports, the initial allegations, letters or notices to the individual or organization, materials placed into the record to support or refute the decision or determination, statements of witnesses, investigative reports, instructions about action to be taken to comply with decisions, and related correspondence, opinions, recommendations, and final administrative actions.

Authority for maintenance of the system:

Executive Order 11478, 42 USC 2000e and 29 USC 633a.

Purpose(s):

These records are used to initiate, investigate, and resolve discrimination complaints within the Department. They are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

(1) To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance;

(2) To refer to Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) the Federal Mediation and Conciliation Service, and to an arbitrator, in carrying out their functions;

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule regulation or order issued pursuant thereto.

(4) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(5) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(6) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a

routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(7) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(8) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

(11) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Retrievability:

These records are indexed by the names of the individuals or organizations on whom they are maintained. They may be used as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

The records are retained for four years after final disposition, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-1, item 26a(1).)

System manager(s) and address:

See Appendix 1.

Notification procedure:

Individuals and organizations which consulted an EEO counselor or filed a formal allegation of discrimination are aware of that fact. They may write the appropriate system manager indicated below or the general coordinator if the immediate system manager is unknown, regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide their name, date of birth, agency in which employed or agency in which the situation arose if different from employing agency, the approximate date, and the kind of action taken, when making inquiries about records.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reason for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

a. Individual to whom the record pertains.

b. Department or other officials.

c. Statements from employees or other witnesses.

d. Official documents relating to the counseling or formal allegation.

e. Correspondence from specific organizations or persons.

Appendix 1

List of Locations and System Managers for EEO Matters General Coordinator:

Deputy Assistant Secretary for EEO, Room 509F, 200
Independence Avenue, SW, Washington, D.C. 20201

System Managers

Office of the Secretary, EEO Officer, Room 541F, Humphrey
Building, 200 Independence Ave., SW, Washington, D.C.
20201

Regional Offices

Region I
EEO Officer, Room 2411, JFK Federal Building, Boston,
Massachusetts 02203

Region II
EEO Officer, Room 3838-D, 26 Federal Plaza, New York, New
York 10278

Region III
EEO Officer, Room 9200, 11460 Market Street, Philadelphia,
Pennsylvania 19101

Region IV
EEO Officer, 19th Floor, 101 Marietta Tower, Atlanta, Georgia
30323

Region V
EEO Officer, 35th Floor, 300 S. Wacker Drive, Chicago, Illinois
60606

Region VI
EEO Officer, Room 904, 1114 Commerce Street, Dallas, Texas
75202

Region VII
EEO Officer, Room 616D, 601 East 12th Street, Kansas City,
Missouri 64106

Region VIII
EEO Officer, Room 1089, Federal Office Building, 1961 Stout
Street, Denver, Colorado 80294

Region IX
EEO Officer, Room 413, 50 United Nations Plaza, San
Francisco, California 94102

Region X
EEO Officer, Room 6132, Arcade Plaza Building, 1321 Second
Avenue, Mail Stop 629, Seattle, Washington 98101

Operating Divisions and Agencies

Social Security Administration, EEO Officer, Room 739,
Administration Building, 6401 Security Boulevard, Baltimore,
Maryland 21235

Health Care Financing Administration, EEO Officer, Room 793,
East High Rise Building, 6401 Security Blvd., Baltimore,
Maryland 21235

Assistant Secretary for Health, EEO Officer, Room 9–A–54,
Parklawn Building, 5600 Fishers Lane, Rockville, Maryland
20857

Health Resources and Services Administration, EEO Officer,
Room 14A–31, Parklawn Building, 5600 Fishers Lane,
Rockville, Maryland 20857

Food and Drug Administration, EEO Officer, Room 12–B–03,
Parklawn Building, 5600 Fishers Lane, Rockville, Maryland
20857

Alcohol, Drug Abuse and Mental Health Administration, EEO
Officer, Room 17–C–20, Parklawn Building, 5600 Fishers
Lane, Rockville, Maryland 20857

National Institutes of Health, EEO Officer, Room 2–B–40,
Building 31, National Institutes of Health, Bethesda, Maryland
20205

Centers for Disease Control
EEO Officer, Room 2405, Building 1, 1600 Clifton Road, NE.,
Atlanta, Georgia 30333

Office of Human Development Services, EEO Officer, Room
336E, Humphrey Building, 200 Independence Ave., SW.,
Washington, D.C. 20201

09–90–0010

System name:

Employee Assistance Program Records HHS/OS/ASPER/OPS.

Security classification:

None.

System location:

Designated offices providing counseling and/or referral for counseling for employees and their family members (see Appendix 1).

Categories of individuals covered by the system:

This system covers Department employees, employees of other organizations serviced by the HHS EAP, or family members of any of these employees who have been counseled and/or referred for counseling for personal problems by the EAP.

Categories of records in the system:

The system contains records of each employee and family member who has utilized the EAP for a personal problem. Examples of information which may be found in each record are employee or family member name, date of birth, grade, job title, home address, telephone numbers, and supervisor's name and telephone number. In addition to the demographic data, certain clinical information is normally maintained in each record including a psychosocial history, assessment of personal problem, information regarding referrals to treatment facilities in the community, and intervention outcomes. Finally, if an employee is referred to the EAP by a supervisor, the record may contain information regarding the referral such as leave record, reasons for referral, and outcomes of supervisory interventions.

Authority for maintenance of the system:

5 U.S.C. 7361, 7362, 7901, 7904, 44 U.S.C. 3101.

Purpose(s):

These records are used to document the nature and extent of the employee's or family member's personal problem and the background information necessary for formulating an intervention plan in an effort to resolve the personal problem and return the employee to full productivity. The record is also used to document, when appropriate, where the employee or family member has been referred for treatment or rehabilitation and the progress in such treatment.

Anonymous information from these records is also needed for the purpose of preparing statistical reports and analytical studies in support of the EAP's management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The Department contemplates that it will contract with a private firm, individual, or other group such as a Federal Employee Assistance Program consortium for the purpose of providing the EAP functions. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. The contractor will surrender to the EAP all of these records as well as any new records at the time of contract termination.

(2) The Department may disclose information from this system of records for litigation purposes when

(a) HHS, or any of its components, or

(b) Any HHS employee in his or her official capacity, or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee, or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

is a party to litigation, and HHS determines that such use of records is relevant and necessary to the litigation and would help in the effective representation of the government party. The disclosure may be made to the Department of Justice. Where the records are not covered by the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 CFR Part 2), disclosures may also be made to a court or other tribunal, or to another party before such tribunal. Any disclosure of such patient records must be pursuant to a qualified service organization agreement that meets the requirements of 42 CFR Part 2 and must also comply with all other aspects of these regulations. The Director of the Employee Assistance Program (in ASPER) must personally approve any disclosure made under this routine use based on his or her determination that it is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Employee records are maintained in folders, on index cards and on computer readable media. Computer systems are discrete, for EAP use only, and/or are password protected.

Retrievability:

Records are retrieved by a case code number, unique to the employee or family member utilizing the program. These numbers are cross indexed by name.

Safeguards:

(1) Authorized Users: Access to these records is limited to EAP Administrators who work directly with employees and family members in each program location (see Appendix 1) and their immediate staffs (including staff counselors, staff secretaries, contract or consortia counselors and secretaries). All EAP Administrators, whether or not they directly provide clinical services, may access the records for the purposes of program evaluation, destroying records at the end of their period of maintenance, and transferring records from one contractor to another.

(2) Physical Safeguards: All records are stored in a metal filing cabinet equipped with at least a combination lock, and preferably a locking bar. This file cabinet is in a secured area, accessible only to the EAP staff, and is locked when not in use. Computer readable information is maintained in discrete systems and/or is password protected. Computers are also stored in secured areas, accessible to only the EAP staff. These records are always maintained separate from any other system of records.

(3) Procedural Safeguards: All persons having access to the records shall have previous training in the proper handling of records covered by the Privacy Act and 42 CFR Part 2 (Confidentiality of Alcohol and Drug Abuse Patient Records). These restrict disclosures to unique situations, such as medical emergencies, except when the

employee or family member has consented in writing. Furthermore, employees and family members who utilize the EAP will be informed in writing of the confidentiality provisions; and secondary disclosure of information is prohibited without employee consent.

Retention and disposal:

Records are retained until three years after the employee or family member has ceased contact with the EAP or until any litigation is resolved. However, if an employee has been terminated from HHS employment, records are retained for at least three years after the official date of termination and until any litigation is resolved. Files are then destroyed.

System manager(s) and address:

The records of individuals participating in the EAP are managed by the EAP Administrators in the various regional and headquarters offices (Appendix 1).

Notification procedure:

Inquiries to determine whether the system contains a record about the requester should be addressed to the system manager where the counseling was provided (see Appendix 1). The individual should provide his or her name, grade, organization where employed, date of birth, and location and approximate date of counseling. Upon receiving a request, the EAP Administrator shall weigh the need for disclosure against the potential injury to the patient, to the physician-patient relationship, and to the treatment services. The EAP Administrator will then determine the extent to which any disclosure of all or any part of the record is necessary. 42 CFR Part 2 does not compel disclosure.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the EAP Administrator at the address found in Appendix 1, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction.

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) supplied by a member of the employee's family, or (3) derived from information supplied by the individual, or (4) supplied by sources to whom the employee and/or family member has been referred for assistance, or (5) supplied by Department officials, or (6) supplied by EAP counselors.

Systems exempted from certain provisions of the act:

None.

APPENDIX 1

Regional Offices:
Region I
Employee Assistance Program Administrator
HHS Regional Personnel Office
JFK Federal Building, Room 1503
Boston, Massachusetts 02203

Region II
Employee Assistance Program Administrator
HHS Regional Personnel Office
Room 39-120
26 Federal Plaza
New York, New York 10278

Region III
Employee Assistance Program Administrator
HHS Regional Personnel Office
Room 9400
P.O. Box 13716
Philadelphia, Pennsylvania 19101

Region IV
Employee Assistance Program Administrator
HHS Regional Personnel Office
101 Marietta Tower, Room 1604
Atlanta, Georgia 30323

Region V
Employee Assistance Program Administrator
HHS Regional Personnel Office
31st Floor
300 South Wacker Drive
Chicago, Illinois 60606

Region VI
Employee Assistance Program Administrator
HHS Regional Personnel Office
Room 930
1200 Main Tower
Dallas, Texas 75202

Region VII
Employee Assistance Program Administrator
HHS Regional Personnel Office
Box 15458
601 East Twelfth Street
Kansas City, Missouri 64106

Region VIII
Employee Assistance Program Administrator
HHS Regional Personnel Office
Room 1062
19th & Stout Streets
Denver, Colorado 80294

Region IX
Employee Assistance Program Administrator
HHS Regional Personnel Office
Room 118
50 United Nations Plaza
San Francisco, California 94102

Region X
Employee Assistance Program Administrator
HHS Regional Personnel Office
Mail Stop RX-05
2201 Sixth Avenue
Seattle, Washington 98121

Other Offices:
Centers for Disease Control
Employee Assistance Program Administrator
Employee Service Branch, Personnel Management Office
Centers for Disease Control
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

Health Care Financing Administration
Employee Assistance Program Administrator
GG-5-A East Low Rise
6325 Security Boulevard
Baltimore, Maryland 21207

National Institutes of Health
Employee Assistance Program Administrator
Building 31, Room E2B57
9000 Rockville Pike
Bethesda, Maryland 20205

Public Health Services
Employee Assistance Program Administrator
Room 1335 Parklawn Building
56 Fishers Lane
Rockville, Maryland 20857

Social Security Administration
Employee Assistance Program Administrator
3120 Annex
6401 Security Boulevard
Baltimore, Maryland 21235

Southwest Complex
Employee Assistance Program Administrator
Room 1036 Switzer Building
330 C Street, SW.
Washington, D.C. 20201

09-90-0011

System name:

Employee Appraisal Program Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and operating offices in organizational units serviced by those personnel offices.

Categories of individuals covered by the system:

Current Federal employees of the Department.

Categories of records in the system:

This system contains information which includes employee's name, SSN, employing organization, grade, title, series, and materials relating to the evaluations of employee's performance.

Authority for maintenance of the system:

5 U.S.C. 4302, 5 U.S.C. 3301, 5 U.S.C. 3302, Executive Order 10577.

Purpose(s):

These records are used as a basis for awards, promotions, and other recognition, reduction-in-force standing, adverse actions, retention during probation, and other personnel actions. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

(1) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) the Federal Mediation and Conciliation Service, and to an arbitrator in carrying out their functions;

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(7) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(8) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(9) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, on magnetic tape, and on punch cards.

Retrievability:

Records are retrievable by name or social security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Appraisals and satisfactory rating are retained until a new appraisal or rating is issued, 2 years have elapsed, or the individual leaves the Department, and are then destroyed. Unsatisfactory and outstanding ratings are filed in the Official Personnel Folder which is retained until the individual leaves the Department. (See HHS Personnel Instruction 293-1, Exhibit X293-1-2, Item 10.)

System manager(s) and address:

Personnel Officers shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Notification procedure:

Same as above. Employee should provide name, social security number and organization in which employed.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record or specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is provided by the individual, derived from information supplied by the individual or supplied by Department officials.

09-90-0012

System name:

Executive Development Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Categories of individuals covered by the system:

Members of the Senior Executive Service, supergrade employees (GS-16-18) and equivalents, incumbents of managerial positions and employees in grades GS-13-15 who have applied for Executive Development Programs.

Categories of records in the system:

This system consists of a variety of records relating to an employee's application for, and participation in, the executive development program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security Account Number, organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual's development plan, basis for participation in the Executive Development Program.

Authority for maintenance of the system:

5 U.S.C. 4101 et. seq.

Purpose(s):

These records are used to document employee's application for and participation in the executive development program. They may be used as a basis for promotion, transfer, or reassignment. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records is used:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(4) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(5) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(6) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(7) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(8) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(9) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in this system of records is maintained in file folders, magnetic tape, punch cards, and forms.

Retrievability:

Records are indexed by name and Social Security Account Number. They may be used as base for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records of an unsuccessful applicant are retained for 60 days after notification that he or she was not selected for participation, and are then destroyed. Records of a participant are retained for 5 years after the individual has ceased to participate in the program, and are then destroyed.

System manager(s) and address:

Heads of personnel offices which service the organizational unit in which the individual is employed. See Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Notification procedure:

Same as above. Individuals should include their name, grade, title, and organization when contacting the system manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410).

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411).

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials.

09-90-0013

System name:

Federal Employees Occupational Health Program Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and designated offices performing occupational health services for employees in organizations serviced by those personnel offices.

Categories of individuals covered by the system:

Current Federal employees of the Department

Categories of records in the system:

This system consists of a variety of records relating to an employee's participation in the Federal Occupational Health Program at units other than those operated by the Division of Federal Employee Health, Public Health Service. Examples of information which may be included in this system are the employee's name, SSN, date of birth, weight, height, medical history, blood type, nature of injury or complaint, type of treatment/medication received, examination findings, and laboratory results.

Authority for maintenance of the system:

5 U.S.C 7901 et seq., Pub. L. 79-658.

Purpose(s):

These records are used to document visits by employees to health units. They serve as the record of injuries and illnesses and treatment given. Information from this system may be used by Department officials in connection with fitness for duty examinations. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records may be used:

(1) By authorized medical personnel in connection with the performance of their official duties.

(2) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(3) By the Department of Labor in connection with a claim filed by an employee for compensation for job-related injury or disease.

(4) By private contractors engaged in providing medical services under Federal contract.

(5) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(7) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(8) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(9) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(10) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(11) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(12) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(13) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders, punch cards and data tape.

Retrievability:

Records are retrievable by name, date of birth, and SSN. Information from this system may be used for preparing statistical or summary reports about employee participation in the Federal Occupational Health Program.

Safeguards:

During the employment of the individual, medical records are maintained in files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records are retained until the individual leaves the Department. If they have no long-term value they are destroyed at this time. If they have continuing value they may be combined with the Official Personnel Folder which is forwarded to the Federal Personnel Records Center or to the new employing agency, as appropriate. (See FPM Supplement 293-31, Subchapter 5-7 for contents of the Official Personnel Folder.)

System manager(s) and address:

Personnel Officers shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1, who service organizational units in which the individual is employed.

Notification procedure:

Inquiries should be addressed to the office where occupational medical services are provided. The individual should include name, SSN, title and organization. An individual who requests notification of or access to a medical record shall, at the time the request in made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR 5b.6), Federal Register, October 8, 1975, page 47411.)

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the corrective. (These procedures are in accordance with Department Regulations (45 CFR 5b.7), Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by the medical officer or nurse providing treatment or medication, or (4) supplied by the individual's private physician.

09-90-0014

System name:

Grievances filed under Part 771 of 5 CFR, HHS/OS/ASPER.

Security classification:

None.

System location:

Office of Personnel Systems Integrity, Department of Health and Human Services, Room 2046, Switzer Building, 330 Independence Ave., SW, D.C. 20201. Personnel Offices shown in Applicants for Employment Records, HHS System 09-90-0006,Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system:

Department employees individually or as a group who have requested personal relief in a matter of concern or dissatisfaction which is subject to the control of Department management.

Categories of records in the system:

Information or documents relating to the grievance and personal relief sought; documented materials used in consideration of the grievance, and correspondence related to disposition of the grievance.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Purpose(s):

Records in this system are used to initiate, consider, and resolve employee grievances filed under Part 771 of 5 CFR. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records may be used:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(3) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(7) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(8) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their function.

(9) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(10) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in file folders, binders and index cards.

Retrievability:

Records are indexed by name of individual filing the grievance. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards:

Records maintained by management are stored in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records are retained for 3 years after the grievance case is closed, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-1, item 31a.)

System manager(s) and address:

Heads of personnel offices which service organizational units in which employees who submit informal grievances are located. See Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Notification procedure:

Individuals who have filed grievances are aware of that fact and have been provided information in writing concerning the disposition of the grievance. They may contact the official who signed the written notice, or the System Manager indicated above. They should provide their name, organization in which employed and date of birth and approximate date of the filing of the grievance.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials.

09-90-0015

System name:

Grievance Records Filed Under Procedures Established by Labor-Management Negotiations, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system:

Current Federal employees of the Department covered by a collective bargaining agreement.

Categories of records in the system:

This system of records consists of a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. Examples of information which may be included in this system of records are the employee's name, SSN, grade, job title, testimony of witnesses, material placed into the record to support the decision, the arbitrator's decision, the arbitrator's report, and a record of an appeal to the Federal Labor Relations Authority.

Authority for maintenance of the system:

Title 5, United States Code, Chapter 71.

Purpose(s):

Records in this system are used to initiate, consider, and resolve employee grievances filed under procedures established by labor-management negotiations. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system may be released to:

(1) The Office of Personnel Management Merit Systems Protection Board (including its office of the Special Counsel), and the Equal Employment Opportunity Commission, in carrying out their functions.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program

statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concering the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(9) The Department of Labor.

(10) The Federal Labor Relations Authority including the General Counsel of the Authority and the Federal Service Impasses Panel.

(11) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(12) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are retrievable by name. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards:

Records maintained by management are stored in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

As negotiated by the local parties to the contract. If not covered by contract, records are retained for 3 years after the grievance case is closed and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-1, item 31a.)

System manager(s) and address:

Personnel Officers shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 who service the organizational unit in which the individual is employed.

Notification procedure:

Same as above. Individuals should include their name, grade, title and organizational unit when contacting the system manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411)

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by testimony of witnesses, or (4) supplied by union officials, or (5) supplied by Department officials.

Systems exempted from certain provisions of the act:

None.

09-90-0016

System name:

HHS Motor Vehicle Operator Records, HHS/OS/ASPER.

System location:

None.

System location:

Personnel offices of the Department shown in Applicants For Employment Records, HHS System 09-90-0006, Appendix 1. Issuing Officers for Motor Vehicle Operator Identification Cards and motor pool managers within the organizations serviced by the above personnel offices.

Categories of individuals covered by the system:

All Department employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system:

This system consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license, number, state issuing driver's license, date license expires, restrictions of state license, sex, date of birth, color or hair, color of eyes, weight, height, records of violations, arrests, and accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system:

40 U.S.C. 471.

Purpose(s):

These records are used as a basis for issuing a SF-46 "U.S. government Motor Vehicle Operator's Identification Card",to evaluate its use, and to revoke it when appropriate. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records may be used:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such

violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(4) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(5) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(6) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(7) By the Office of Personnel Management in carrying out its functions.

(8) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(9) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in Official Personnel Folder, in file folders, and index cards.

Retrievability:

Records are retrievable by name. They may also be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions.

Safeguards:

Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for three years after the individual's government motor vehicle operator's permit expires, or the individual leaves the Department, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit S293-1-1, item 24.)

System manager(s) and address:

Personnel Officers of the Department shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Notification procedure:

Personnel officers in organizational units in which employed or systems managers shown above. Individual should provide name and organization in which employed.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the officials at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information contained in this system of records is obtained: (1) From information supplied by the individual, or (2) derived from information supplied by the individual, or (3) from information supplied by officials of the Department.

Systems exempted from certain provisions of the act:

None.

09-90-0017

System name:

Pay, Leave and Attendance Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Pay System's Division, Department of Health and Human Services, 330 Independence Avenue SW, Washington, D.C. 20201.

Payroll Liaison Representatives. See Appendix 1. Timekeepers in organizational units serviced by Payroll Liaison Representatives shown in Appendix 1. Personnel offices shown in HHS System 09-90-0006, Applicants for Employment Records, Appendix 1.

Categories of individuals covered by the system:

All paid employees of the Department of Health and Human Services including PHS Commissioned Corps Personnel.

Categories of records in the system:

This system consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Health and Human Services. In addition to the name of the employee, the system includes information such as the employee's date of birth, social security number, home address, grade or rank, employing organization, timekeeper number, salary, Civil Service retirement fund contributions, pay plan, number of hours worked, annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, state and city tax withholdings, Federal Employees Governmental Life Insurance withholdings, Federal Employees Health Benefits withholdings, garnishment documents, savings allotments, union and management association dues withholdings allotments, savings bonds allotments, and Combined Federal Campaign allotments; for Commissioned Corps Personnel, information such as the following is included: Years of service, payroll number, base pay, incentive pay, hazardous pay, allowances and Servicemen's Group Life Insurance.

Authority for maintenance of the system:

5 U.S.C. 5501 et seq., 5525 et seq., 6301 et seq.; 42 U.S.C. 201 et seq., and Pub. L. 90-83.

Purpose(s):

Records in this system are used to insure that each employee receives the proper pay and allowances; that proper reductions and authorized allotments are made from employees' pay; and that employees are credited and charged with the proper amount of sick and annual leave. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records is used or may be used.

(1) To prepare W-2 Forms to submit to the Internal Revenue Service and to disclose to state and local government agencies having taxing authority pertinent records relating to employees, including name, home address, social security number (in accordance with Section 7 of Pub. L. 93-579), earned income, and amount of taxes withheld.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 of 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(7) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(8) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(9) By the Department of Labor to make compensation determination in connection with a claim filed by the employee for compensation on account of a job-connected injury or disease.

(10) To respond to court orders for garnishment of an employee's pay for alimony or child support.

(11) To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes.

(12) To the Department of Treasury for the purposes of preparing and issuing employee salary and compensation checks and U.S. Savings Bonds.

(13) By state officers of unemployment compensation in connection with claims filed by former HHS employes for unemployment compensation.

(14) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(15) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

(16) By financial organizations designate to receive labor organization or management association dues withheld from employee's pay, in order to account for the amounts of such withheld dues which they receive.

(17) A record from this system of records may be disclosed to a State or local agency for the purpose of conducting computer matching programs designed to reduce fraud, waste and abuse in Federal, State and local public assistance programs and operations.

(18) A record from this system of records may be disclosed to a Federal agency for the purpose of conducting computer matching programs designed to reduce fraud, waste and abuse using loan or benefit records of a Federal, State or local agency to identify employees improperly receiving loans or benefits and to facilitate the collection of debts owed the United States.

(19) A record from this system of records may be disclosed to a Federal agency in response to a written request from that agency, personally signed by a supervisor, specifying the particular portion desired and the law enforcement activity for which the record is sought. The request for the record must be connected with the agency's auditing and investigative functions designed to reduce fraud, waste and abuse; it must be based on information which raises questions about an individual's eligibility for benefits or payments; and it must be made reasonably soon after the information is received.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape, microfilm, punch cards and forms.

Retrievability:

Records are maintained by pay period and are retrievable by name, SSN and Timekeeper number within each pay period. Records are also used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies, and for other purposes compatible with the intent for which the records system was created.

Safeguards:

Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records submitted by the individual, such as allotment authorization forms, home address forms, and tax withholding forms are retained until superseded by new forms of until the individual leaves the Department. Most of these records are then destroyed. Some of these records must be retained for an additional period, or forwarded to the new employing agency. Time and attendance records are retained for five years and are then destroyed. The automated payroll master record, established when the individual is first employed and continually updated throughout the period of his or her employment, is retained until the individual leaves the Department.

System manager(s) and address:

Director, Pay Systems Division, P.O. Box 1825, Washington, D.C. 20013.

Notification procedure:

An individual may contact the system manager. An individual also may contact, as appropriate, Payroll Liaison Representatives in Appendix 1 or Personnel Officers shown in HHS System 09–90–0006, Applicants for Employment Record, Appendix 1. Provide name, social security number, timekeeper number and pay period about which inquiring.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register,October 8, 1975, page 47411.).

Record source categories:

Information in this system of records is (1) supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by timekeepers and other Department officials.

Systems exempted from certain provisions of the act:

None.

Appendix 1

Office of the Secretary

Payroll Liaison Officer, Room 4355 HHS North Bldg., 330 Independence Ave., SW, Washington, D.C. 20201

Health Care Financing Administration

Payroll Liaison Officer, HCFA, East Low Rise Building, P.O. Box 17255, Baltimore, MD 21203

Office of Human Development Services

Payroll Liaison Officer, Room 347 D, Hubert H. Humphrey Building, 200 Independences Ave., SW, Washington, DC 20201

Office of Child Support Enforcement

Payroll Liaison Officer, Room 1010 Beltway View Bldg., 6110 Executive Blvd, Rockville, MD 20852.

Social Security Administration Headquarters

Payroll Liaison Officer, SSA Headquarters, Room L 1100 West Low Rise Bldg., 6401 Security Blvd., Baltimore, MD 21235

Payroll Liasion Officer, SSA, ORS, Universal Bldg., Room 934, 1975 Connecticut Ave., NW, Washington, D.C. 20009

Regional Offices

Region I, Payroll Liaison Officer, JFK Federal Bldg., Room 1503, Government Center, Boston, MA 00203

Region II, Payroll Liaison Officer, Personnel Support Branch, Room 39-120, 26 Federal Plaza, New York, NY 10007

Region III, Payroll Liaison Officer, P.O. Box 13716, Philadelphia, PA 19101

Region IV, Payroll Liaison Officer, 101 Marietta Tower, Suite 1601, Atlanta, GA 30331

Region V, Office of Personnel 31st Floor, Payroll Liaison Officer, 300 South Wacker Drive, Chicago, IL 60606

Region VI, Regional Personnel Office, Room 1035, 1200 Main Street, Dallas, TX 75020

Region VII, Payroll Liaison Officer, Retional Personnel Office, 601 E 12th Street, Kansas City, MO 64106

Region VIII, Payroll Liaison Officer, Federal Office Building, Room 1028, 19th and Stout Street, Denver, CO 80294

Region IX, Regional Personnel Office, Room 138A, 50 United Nations Plaza, San Francisco, CA 94102

Region X, Payroll Liaison Officer, Regional Personnel, Arcade Plaza Bldg., Mail Stop 627, 1321 Second Avenue, Seattle, WA 98007

Regional Personnel Branch Office, Payroll Liaison Officer, 24000 Avila Road, 5th Floor, Laguna Niguel, CA 92677

Regional Personnel Branch Office, Payroll Liaison Officer, 1301 Superior Avenue—Suite 240, Cleveland, OH 44114

Social Security Administration Program Centers

Mid Atlantic, Payroll Liaison Officer, Program Service Center, P.O. Box 3579, Philadelphia, PA 19122

Great Lakes, Payroll Liaison Officer, Program Service Center, 600 West Madison St., Chicago, IL 60606

Southeastern, Payroll Liaison Officer, Birmingham Program Service Center, P.O. Box 10364, Birmingham, AL 35202

North Eastern Payroll Liaison Officer, Program Service Center, 9605 Horace Harding Expressway, Flushing, NY 11368

Mid-American, Payroll Liaison Officer, Program Service Center, 601 East 12th Street, Kansas City, MO 64106

Western, Payroll Liaison Officer, Richmond Personnel Operations Center, Program Service Center, P.O. Box 2431, Richmond, CA 94802

Social Security Administration District Offices

New York, SSA, Payroll Liaison Officer, 26 Federal Plaza, Room 40-114, New York, NY 10007

Philadelphia,SSA, Payroll Liaison Officer, P.O. Box 13716, Philadelphia, PA 19101

Chicago, SSA, Payroll Liaison Officer, 300 South Wacker Drive, Chicago, IL 60606

Kansas City, SSA, Payroll Liaison Officer, 601 E 12th Street, Kansas City, MO 64106

San Francisco, Payroll Liaison Officer, Room 138A, 50 United Nations Plaza, San Francisco, CA 94102

Cleveland, SSA, Payroll Liaison Officer, 1301 Superior Avenue—Suite 240, Cleveland, OH 44114

SSA, Wilkes Barre Data Operations Center, Room 903, VA Bldg., 19 N. Main Street, Wilkes Barre, PA 18701

SSA Data Operations Center, Payroll Liaison Officer, P.O. Box 4429, Station A, Albuquerque, NM 87106

Boston, SSA, Payroll Liaison Officer, SSA, Room 1105, JFK Bldg., Government Center, Boston, MA 02203

Atlanta, SSA, Payroll Liaison Officer, 101 Marietta Tower, Suite 1601, Atlanta, GA 30331

Dallas, SSA, Payroll Liaison Officer, Room 1035, 1200 Main Street, Dallas, TX 75020

Denver, SSA, Payroll Liaison Officer, Federal Office Building, Room 1196, 19th and Stout Street, Denver, CO 80294

Seattle, SSA, Payroll Liaison Officer, Regional Personnel, Arcade Plaza Bldg., Mail Stop 627, 1321 Second Avenue, Seattle, WA 98007

SSA, Record Center, P.O. Box 25, Boyers, PA 16020

SSA Data Operations Center, Payroll Liaison Officer, 100 East Alvin Drive, Salinas, CA 93906

SSA, Office of Hearings and Appeals, Room 102, Braedon Building, 3833 Fairfax Drive, Arlington, VA 22203

Public Health Service

Center for Disease Control, Payroll Liaison Officer, Personnel Management Office, 1600 Clifton Road NE, Atlanta, GA 30333

National Institute of Environmental Health Services Payroll Liaison Officer, P.O. Box 12233, Research Triangle Park, NC 27709

Food & Drug Administration, Payroll Liaison Officer, HFA 125 Parklawn Bldg., Room 1182, 5600 Fishers Lane, Rockville, MD 20857

Alcohol, Drug Abuse and Mental Health Administration, Payroll Liaison Officer, Room 1397, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857

National Institute of Health, Payroll Liaison Officer, Bldg. 31, Room B1B 30, 9000 Rockville Pike, Bethesda, MD 20014

Health Resources and Services Admin & Office of Asst. Sec. for Health, Payroll Liaison Officer, Room 1649, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20852

CDC, NIOSH, Payroll Liaison Officer, Financial Management Branch, Parklawn Bldg. 8A-10, 5600 Fishers Lane, Rockville, MD 20857

Indian Health Service

Payroll Liaison Officer, Indian Health Service Area Office, Room 215, Federal Building, Aberdeen, SD 57401

Payroll Liaison Officer, Albuquerque Indian Health Service, Federal Office Building and U.S. Courthouse, Room 4005, 500 Gold SW., Albuquerque, NM 87101

Payroll Liaison Officer, Alaska Area Native Health Service, Area Personnel and Training Branch, P.O. Box 7-741, Anchorage, AK 99501

Payroll Liaison Officer, Phoenix Area Indian Health Service, 3738 N. 16th Street, Suite A. Phoenix, AZ 85014

Payroll Liaison Officer, Oklahoma City Area Indian Health Service, 388 Old Post Office & Courthouse Bldg., Oklahoma City, OK 73102

Payroll Liaison Officer, Indian Health Service, 1220 SW. 3rd Avenue, Room 476, Portland, OR 97204

Payroll Liaison Officer, Indian Health Service Area Office, P.O. Box 2143, Billings, MT 59101

Payroll Liaison Officer, Navajo Area Indian Health Service, P.O. Box G, Attn: Financial Management Branch, Window Rock, AZ 86515

Payroll Liaison Officer, Indian Health Service, Data Processing Center, 2401 12th Street NW.—Room 3N, Alburquerque, NM 87198

Payroll Liaison Officer, Phoenix Indian Medical Center, 4212 N. 16th St., Phoenix, AZ 85016

Payroll Liaison Officer, Office of Research and Development, P.O. Box 11340, Tucson, AZ 85734

Payroll Liaison Officer, Gallup Indian Medical Center, P.O. Box 1337, Gallup NM

Public Health Service Hospitals

Payroll Liaison Officer, St Elizabeth's Hospital, Room 101 E. Building, 2700 Martin Luther King Ave., SE, Washington, D.C. 20032

Payroll Liaison Officer, USPHS Hospital, Carville, LA 70721

09-90-0018

System name:

Personnel Records in Operating Offices, HHS/OS/ASPER.

Security classification:

None.

System location:

Operating Offices of the Department at the organizational level of the individual's employment. Such offices are located within organizational components serviced by personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Categories of individuals covered by the system:

Current employees of the Department.

Categories of records in the system:

This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed. These records may contain information about an individual relating to name; birth date; home address; telephone number; emergency address; social security number; veterans preference; tenure; work connected injuries; employment history; qualifications background; past and present salaries, grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions, decisions or recommendations made about an employee; and background data and documentation leading to an adverse action or other personnel action being taken against an employee.

Authority for maintenance of the system:

5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521 and Executive Order 10561.

Purpose(s):

These records are used by operating officials in carrying out their personnel management responsibilities. They may be used in this connection in recommending or taking personnel actions such as appointments, promotions, reassignments, within-grade increases, adverse actions; as a basis for employee training, recognition, or disciplinary actions; and as a basis for staffing and budgetary planning and control, organizational planning, and manpower utilization purposes. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

(1) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(2) In the event an appeal is made outside the Department, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal.

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(4) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(5) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(6) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(7) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(8) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(11) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, and index cards.

Retrievability:

Records are indexed by any combination of name, birth date, social security number, or identification number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Records are retained until there is no further administrative need to retain them, or the individual leaves the jurisdiction of the operating office, and are then either destroyed, or, if appropriate, are combined with the Official Personnel Folder, which is forwarded to the hiring Federal agency or, if the employee is leaving Federal service, to the National Personnel Records Center.

System manager(s) and address:

Personnel Officers of the Department. See Applicants for Employment Records, HHS System 09–90–0006, Appendix 1.

Notification procedure:

Immediate supervisors of individuals or the administrative offices of the organizational units in which employed. The system manager shown above may also provide further information concerning the existence of this system of records. Individuals should provide their name, social security number, and organization in which employed.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories:

Information in this system of records either comes from the individual to whom it applies, is derived from information supplied by the individual, or is provided by Department officials.

Systems exempted from certain provisions of the act:

None.

Note.—When supervisors/managers retain personal "supervisory" notes, i.e., information on employees, over which the agency exercises no control and does not require in its performance appraisal system, which remain for the personal use of the author and are not provided to any other persons, which are retained or discarded at the author's sole discretion, and which are not used in appraising an employee or in determining any rights, benefits or privileges of an employee, such notes are mere extensions of the supervisor's memory which are not subject to the Privacy Act and, therefore, not considered part of this system. If any of the above conditions are broken, these notes are no longer mere extensions of the supervisor's memory and become records subject to the Privacy Act in this system notice or another appropriate system notice.

09-90-0019

System name:

Special Employment Program Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel Offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and operating offices in organizational units services by those personnel offices.

Categories of individuals covered by the system:

Current Federal employees of the Department who are participating in special employment programs.

Categories of records in the system:

This system consists of a variety of records relating to an employee's participation in special employment programs such as the Upward Mobility College, START, STRIDE, ACCESS, Worker Trainee Opportunity, Junior Fellows, Management Intern, Personnel Intern and the HHS Fellows Program. Examples of information which this records system may contain include the employee's name, SSN, program enrolled in, employing agency, grade, job title, job series, sex, date of birth, status, education background, handicap code, application for employment, position description, assignment evaluations, Veterans preference, job counseling records, and letters of reference and recommendations.

Authority for maintenance of the system:

5 U.S.C. 1301, 3301, 7151 et seq., Executive Order 11813.

Purpose(s):

Records are used by personnel offices and operating officials to select individuals for and monitor their progress in special employment programs; employee development and career planning; and as a basis for taking personnel actions. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system may be used:

(1) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(4) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(5) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(6) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(7) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(8) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(9) In the event of litigation where the defendent is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purposes for which the records collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in this system of records is maintained in file folders, data tape and punch cards.

Retrievability:

Records are retrievable by name and SSN.

Safeguards:

Access and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Records are retained for two years after the individual's participation in a special placement program ends, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit X293-1-2, item 9.)

System manager(s) and address:

Personnel Officers shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1, who service organizational units in which the participant is employed.

Notification procedure:

Same as above. Individuals should include their name, SSN, grade, title, and organization when contacting the system manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials.

09-90-0020

System name:

Suitability for Employment Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel Offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Categories of individuals covered by the system:

Employees of the Department and applicants for employment.

Categories of records in the system:

This system consists of a variety of records relating to an individual's suitability for employment in terms of character, reputation and fitness, including letters of reference, responses to pre-employment inquiries. National Agency Checks and Inquiries material received from the Office of Personnel Management and Merit Systems Protection Board including its Office of the Special Counsel relating to non-sensitive positions, qualifications and character investigations, and other information which may relate to the suitability of the individual for the position.

Authority for maintenance of the system:

5. U.S.C. 3301, 3302, 7301; Executive Order 10577; Executive Order 11222.

Purpose(s):

Records in this system are used by designated appointing and selecting authorities to make determinations concerning an individual's suitability for employment. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

(1) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(9) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(10) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by any combination of name, date of birth, Social Security Number, or identification number.

Safeguards:

Records are maintained in confidential files and are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Records from the Office of Personnel Management and Merit Systems Protection Board including its Office of the Special Counsel concerning applicants for or incumbents of nonsensitive, positions, are retained until a decision is reached on whether to hire or retain the applicant or incumbent, and are then destroyed. Other records in this system are retained until there is no further administrative need for them, the individual leaves the Department, or one year has elapsed, and are then destroyed. (See HHS Personnel Instruction 293-1, Exhibit x293-1-2, items 1 and 2.)

System manager(s) and address:

Heads of personnel offices which service organizational units in which individual is employed or in which he/she applied for employment. See Applicants For Employment Records. HHS, System 09-90-0006, Appendix 1.

Notification procedure:

Same as above, individuals should indicate name, Social Security Number, date of birth, and organization in which employed, or to which they applied for employment.

Record access procedures:

Current Department employees or applicants should contact the appropriate system manager shown above. Former Department employees who are employed by the Federal Government who wish to gain access or contest the records maintained on them while employed by the Department should contact the appropriate official of their current employing agency in accordance with the appropriate records system notice of that agency. Former Department employees who have separated from Federal service should direct a request to: National Personnel Records Center, General Services Administration, 111 Winnebago Street, St. Louis, Missouri 63118.

Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information contained in the system is obtained from:

Applications and other personnel and security forms furnished by the individual.

Information furnished by other Federal agencies.

Information provided by sources such as employers, schools, references, former employers.

Systems exempted from certain provisions of the act:

Individuals will be provided information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1. disclosure of such information would reveal the identity of a source who furnished information to the Government under a express promise that the identity of the source would be held in confidence, or 2. if the information was obtained prior to the effective date of Section 3, Pub. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source woud be held in confidence. (45 CFR 5b.11.)

09-90-0021

System name:

Training Management Information System, HHS/OS/ASPER

Security classification:

None.

System location:

Office of the Assistant Secretary for Personnel Administration, Department of Health and Human Services, 200 Independence Ave., SW, Washington, D.C. 20201.

Personnel offices shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1.

Categories of individuals covered by the system:

All employees who receive training in a course which was more than 8 hours in length and which was authorized under the authority of the Government Employees Training Act.

Categories of records in the system:

The Training Management Information System consists of a variety of records relating to training received by an employee. In addition to the name of the employee, the system includes information about the employee's Social Security Account Number, position title, grade, salary, pay plan, series, tenure, years of continuous service, nature of training taken, cost of training and dates of training.

Authority for maintenance of the system:

5 U.S.C. 4101 et seq., Executive Order 11348.

Purpose(s):

Records in this system are used to maintain a history of employee training, to help determine future training needs, to evaluate the Department's training program, and for audit and budgetary planning purposes. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records is used:

(1) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records, in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employees, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use of the appropriate agency, whether state or local charged with the responsibility of investigating or presecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(4) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(5) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(6) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(7) By the Office of Personnel Management in carrying out its functions.

(8) To other Federal agencies or private organizations to authorize training.

(9) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(10) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data tape.

Retrievability:

Records are indexed by any combination of name, birth date, SSN or transaction number.

Safeguards:

The information is available only to authorized personnel. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are retained in the automated data file until the individual leaves the Department.

System manager(s) and address:

Deputy Assistant Secretary for Personnel
Office of the Assistant Secretary for Personnel Administration
Department of Health and Human Services,
200 Independence Avenue, SW,
Washington, D.C. 20201.

Notification procedure:

Contact the Deputy Assistant Secretary for Personnel or the personnel office shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1, which services the organizational unit in which the individual is employed. The individual should indicate name, position title, grade and series and organization in which located.

Record access procedures:

Same as notification procedures. Requester should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify, the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of record is: (1) Supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department or by source of training officials.

Systems exempted from certain provisions of the act:

None.

09-90-0022

System name:

Volunteer EEO Support Personnel Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Office of the Deputy Assistant Secretary for EEO, 200 Independence Avenue, SW, Washington, D.C. 20201.

Office of the designated EEO Officers. See Discrimination Complaints Records System. HHS System 09–90–0009, Appendix 01 for exact locations.

Categories of individuals covered by the system:

Individuals who have volunteered or have been proposed for duty as EEO Counselors and discrimination complaint investigators on a part-time basis.

Categories of records in the system:

This system of records contains information or documents concerning the personal characteristics of EEO counselors and investigators. The records consist of the name and other identifying data, title, location, training received, information concerning qualifying background, case assignments, and evaluations of EEO counselors and investigators serving on a part-time basis, and related information.

Authority for maintenance of the system:

Executive Order 11478, Pub. L. 92-261, Pub. L. 93-259.

Purpose(s):

These records are used to identify, locate, and determine the availability of volunteer counselors and investigators for assignment; to determine training needs of counselors and investigators. These records are maintained in each component of the Department. See "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

(1) To provide resource to another Federal Agency, in response to its request for loan of investigators or counselors.

(2) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(4) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 or 5 U.S.C. Chapter 71 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(5) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise, refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(6) By the Office of Personnel Management, Merit Systems Protection Board (including its office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(7) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(8) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders and index cards.

Retrievability:

These records are indexed by the names of the individuals on whom they are maintained. They may be used: To provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal:

The records are maintained up to one year after volunteer has terminated his services, at which time they are destroyed.

System manager(s) and address:

See Discrimination Complaints Records System, HHS System 09–90–0009, Appendix 1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure:

Individuals who have volunteered or been proposed as counselor or investigators are aware of that fact and the information contained in the record. They may, however, write the immediate system manager or coordinator indicated above regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide to the immediate system manager or coordinator, their name, agency in which they were proposed or served when making inquiries about records.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

a. Individuals to whom the record pertains

b. Department or other officials

c. Official documents relating to appointments and case assignments as counselors and investigators

d. Correspondence for specific persons or organizations

e. Formal reports submitted by the individual in the performance of official volunteer work.

Systems exempted from certain provisions of the act:

None.

09–90–0023

System name:

Departmental Parking Control Policy and Records Systems. HHS/OS/ASMB/OFE.

Security classification:

None.

System location:

Director, Office of Facilities Engineering, Room 4700 North Building, HHS/Office of the Secretary, 330 Independence Ave., SW, Washington, D.C. 20201. Offices of Manager for Parking Control at HHS facilities where parking is provided.

Categories of individuals covered by the system:

All HHS employees as well as any carpool member utilizing HHS parking facilities.

Categories of records in the system:

This system includes the following information on all persons applying for a parking permit: Name, office room number, office phone number, agency, home address, and automobile license number, and where applicable, physicians statement in support of handicapped parking assignments and query to supervisors in support of handicapped parking assignments.

Authority for maintenance of the system:

63 Stat. 377; 41 CFR 101-20.111.

Purpose(s):

To establish policy governing the acquisition and allocation of Federal parking facilities and the establishment and determination of charges to be paid for the use of such parking by Federal employees, contractor employees and other facility tenants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in binders in file cabinets and/or magnetic tapes and disks as appropriate.

Retrievability:

Records maybe accessed by the various categories contained therein. The purpose of the Departmental Parking Policy is to provide standards for apportionment and assignment of parking spaces on Department-managed and Department-controlled property and on property assigned to the Department by GSA or any other Agency and to allocate and check parking spaces assigned to government vehicles, visitors, handicapped personnel, key personnel, car-pools, and others.

Safeguards:

Access to and use of these records are limited to personnel whose official duties require such access. Security Safeguards meet the requirements of Part 6, ADP System Security, of HHS's ADP System Manual A mini computer is maintained in a secured area with access limited to authorized personnel. Tapes and disc's are stored in locked cabinets.

Retention and disposal:

Superseded policy materials are maintained by the Director, Office of Facilities Engineering for historical purposes; Records at other HHS locations are maintained until the Parking Control purpose has been met and the records are then destroyed.

System manager(s) and address:

Director, Office of Facilities Engineering, Room 4700 North Building, HHS/Office of the Secretary, 330 Independence Avenue, SW, Washington, D.C. 20201.

Notification procedure:

Access to these records may be obtained by request in writing to: Office of Manager for Parking Control at HHS facility where the HHS parking is provided.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Records are developed from information supplied by applicants and, for handicapped parking assignments, by physicians and supervisors.

Systems exempted from certain provisions of the act:

None.

09–90–0024

System name:

Financial Transactions of HHS Accounting and Finance Offices.

Security classification:

None.

System location:

See Appendix 1.

Memoranda copy of claims submitted for reimbursement of travel and other expenditures while on official business may also be maintained at the administrative office of the HHS employee. Records concerning delinquent debts may also be maintained at the program office or by designated claims officers apart from the finance office.

Categories of individuals covered by the system:

All persons who receive a payment from OPDIV/Agency/Regional finance offices and all person owing monies to these HHS offices. Person receiving payments include, but are not limited to, travelers on official business, grantees, contractors, consultants, and recipients of loans and scholarships. Persons owing monies include, but are not limited to, persons who have been overpaid and who owe HHS a refund and persons who have received from HHS goods or services for which there is a charge or fee (e.g., Freedom of Information Act requesters).

The following systems of records contain similar payment and collection transaction records, some, but not all, of which duplicate records in this system:

Alcohol, Drug Abuse, and Mental Health Administration.

09–30–0023—Records of Contracts Awarded to Individuals, HHS/ADAMHA/OA.

09–30–0027—Grants and Cooperative Agreements: Research, Research Training, Research Scientist Development, Education, Demonstration, Fellowships, Clinical Training, Community Service, HHS/ADAMHA/OA.

Health Resources and Services Administration

09–15–0044—Health Education Assistance Loan (HEAL) Program Loan Control Master File, HHS/HRSA/BHPR.

09–15–0045—HRSA Loan Repayment/Debt Management Record System, HHS/HRSA/OA.

Categories of records in the system:

Name, identification number, address, purpose of payment, accounting classification and amount paid.

Also, in the event of an overpayment and for delinquent loans, grants or scholarships, the amount of the indebtedness, the repayment status and the amount to be collected.

Authority for maintenance of the system:

Budget and Accounting Act of 1950 (Pub. L. 81–784), Debt Collection Act of 1982 (Pub. L. 97–365).

Purpose(s):

These records are an integral part of the accounting systems at principal operating component, agency, regional office and specific area locations. The records are used to keep track of all payments to individuals, exclusive of salaries and wages, based upon prior entry into the systems of the official commitment and obligation of government funds. When an individual is to repay funds advanced as a loan or scholarship, etc., the records will be used to establish a receivable record and to track repayment status. In the event of an overpayment to an individual, the record is used to establish a receivable record for recovery of the amount claimed. The records are also used internally to develop reports to the Internal Revenue Service and applicable state and local taxing officials of taxable income. This is a Department-wide notice of payment and collection activities at all locations listed in Appendix 1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records will be routinely disclosed to the Treasury Department for check preparation.

2. Records may be disclosed to members of Congress concerning a Federal financial assistance program. Also, disclosure may be made to a congressional office from an individual's record in response to an inquiry from the congressional office made at the request of that individual.

3. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

6. Where Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

7. Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

8. A record may be disclosed to the Department of Justice, to a court, or other tribunal, or to another party before such tribunal, when

(1) HHS, or any component thereof; or

(2) Any HHS employee in his or her official capacity; or

(3) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(4) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

9. A record about a loan applicant or potential contractor or grantee may be disclosed to credit reporting agencies to obtain a credit report in order to determine his/her creditworthiness.

10. When an individual applies for a loan under a loan program as to which the OMB has made a determination under I.R.C. 6103(a)(3), a record about his/her application may be disclosed to the Treasury Department to find out whether he/she has a delinquent tax account, for the sole purpose of determining his/her creditworthiness.

11. A record from this system may be disclosed to the following entities in order to help collect a debt owed the United States:

a. To another Federal agency so that agency can effect a salary offset;

b. To another Federal agency so that agency can effect an administrative offset under common law or under 31 U.S.C. 3716 (withholding from money payable to, or held on behalf of, the individual);

c. To the Treasury Department to request his/her mailing address under I.R.C. 6103(m)(2) in order to locate him/her or in order to have a credit report prepared;

d. To agents of the Department and to other third parties, including credit reporting agencies, to help locate him/her or to obtain a credit report on him/her, in order to help collect or compromise a debt;

e. To debt collection agents under 31 U.S.C. 3718 or under common law to help collect a debt; and

f. To the Justice Department for litigation for further administrative action.

Disclosure under part (d) of this use is limited to the individual's name, address, Social Security number, and other information necessary to identify him/her. Disclosure under parts (a)-(c) and (e) is limited to those items; the amount, status, and history of the claim; and the agency or program under which the claim arose. An address obtained from IRS may be disclosed to a credit reporting agency under part (d) only for purposes of preparing a commercial credit report on the individual. Part (a) applies to claims or debts arising or payable under the Social Security Act if and only if the employee consents in writing to the offset.

12. A record from this system may be disclosed to another Federal agency that has asked the Department to effect an administrative offset under common law or under 31 U.S.C. 3716 to help collect a debt owed the United States. Disclosure under this routine use is limited to: Name, address, Social Security number, and other information necessary to identify the individual, information about the money payable to or held for the individual, and other information concerning the administrative offset.

13. Disclosures with regard to claims or debts arising under or payble under the Social Security Act may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1986 (31 U.S.C. 3701(a)(3)). However, this disclosure will not be made with regard to debts from overpayments to beneficiaries under Title II (Old-Age, Survivors, and Disability Insurance) and Title XVI (Supplementary Security Income) of this Act. The purpose of this disclosure is to aid in the collection of outstanding debts owed the Federal Government. Disclosure of records is limited to the individual's name, address, Social Security number, and other information necessary to establish the individual's identity; the amount, status, and history of the claim; and the agency or program under which the claim arose.

14. Information in this system of records is used to prepare W-2 and 1099 Forms to submit to the Internal Revenue Service and applicable state and local governments items considered to be included as income to an individual: Certain travel related payments to employees, all payments made to persons not treated as employees (e.g. fees to consultants and experts), and amounts written-off as legally or administratively uncollectable, in whole or in part.

15. A record may be disclosed to banks enrolled in the Treasury Credit Card Network to collect a payment or debt when the individual has given his/her credit card number for this purpose.

Disclosure to consumer reporting agencies:

Disclosure pursuant to 5 U.S.C. 552a(b)(12): Disclosure may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal Government, typically, to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Disclosure of records is limited to the individual's name, address, Social Security number, and other information necessary to establish the individual's identity; the amount, status, and history of the claim; and the agency or program under which the claim arose. The disclosure will be made only after the procedural requirements of 31 U.S.C. 3711(f) have been followed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Hard copy documents are manually filed at agency and regional office sites; and on disc pack and magnetic tape at central computer sites.

Retrievability:

This varies according to the particular operating accounting system within the Operating Division, Agency and Regional Office. Usually the hard copy document is filed by name within accounting classification. Computer records may be indexed by social security number and voucher number. Intra-departmental uses and transfers concern the validation and certification for payment, and for HHS internal audits.

Safeguards:

1. Authorized Users: Employees and officials directly responsible for programmatic or fiscal activity, including administrative and staff personnel, financial management personnel, computer personnel, and managers who have responsibilities for implementing HHS funded programs.

2. Physical Safeguards: File folders, reports and other forms of personnel data, and electronic diskettes are stored in areas where fire and life safety codes are strictly enforced. All documents and diskettes are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas. Magnetic tapes and computer matching tapes are locked in a computer room and tape vault.

3. Procedural Safeguards: Password protection of automated records is provided. All authorized users protect information from public view and from unauthorized personnel entering an office.

The safeguards described above were established in accordance with HHS Chapter 45-13 of the General Administration Manual; and the HHS ADP Systems Manual Part 6, "ADP Systems Security."

Retention and disposal:

Records are purged from automated files once the accounting purpose has been served; printed copy and manual documents are retained and disposed of in accord with General Accounting Office principles and standards as authorized by the National Archives and Records Administration.

System manager(s) and address:

See Appendix 2.

Notification procedure:

Inquiries are to be made, either in writing or in person, to the organizations listed under "Location" in appendix 1, with the exception of Food and Drug Administration contact:

FDA Privacy Act Coordinator (HFW-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

Give name and social security number, purpose of payment or collection (travel, grant, etc.) and, if possible, the agency accounting classification.

Record access procedures:

Same as notification procedures. Requesters should also clearly specify the record contents being sought, and may include an accounting of disclosures that have been made of their records, if any. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Travel vouchers submitted by the individual; grant, contract and loan award document; delinquent loan, grant and scholarship record; consultant invoice of services rendered; and application for travel advance.

Systems exempted from certain provisions of the act:

None.

Appendix 1

Location

Payments to and Collections from individuals records are located at the following HHS Regional Offices:

Regional Office 01, John F. Kennedy Federal Bldg., Government Center, Boston, MA 02203.

Regional Office 02, 26 Federal Plaza, New York, NY 10007.

Regional Office 03, 3535 Market Street, P.O. Box 13716, Philadelphia, PA 19101.

Regional Office 04, 101 Marietta Tower, Atlanta, GA 30323.

Regional Office 05, 300 South Wacker Drive, Chicago, IL 60606.

Regional Office 06, 1200 Maine Tower, Dallas, TX 75202.

Regional Office 07, Federal Office Bldg., 601 East 12th Street, Kansas City, MO 64106.

Regional Office 08, 19th and Stout Streets, Denver, CO 80294.

Regional Office 09, Federal Office Buildings, 50 United Nations Plaza, San Francisco, CA 94102.

Regional Office 010, Arcade Plaza Bldg., 1319 Second Avenue, Seattle, WA 98101.

Payments to and Collections from individuals records are located at the following HHS Operating Division and Agency Headquarters and Field Offices:

Office of the Secretary (to include Office of Human Development Services records), Hubert H. Humphrey Bldg., 200 Independence Ave., SW, Div. of Accounting Operations, Washington, DC 20201.

Indian Health Service, Headquarters, 5600 Fishers Lane, Room 6A-30, Rockville, MD 20857.

Aberdeen Area Office, Indian Health Service, Federal Building, 115 4th Avenue SE, Aberdeen, SD 57401.

Alaska Native Health Service, 250 Gambell Street, Anchorage, AK 99501.

Albuquerque Area Office, Indian Health Service, 505 Marquette NW, Suite 1502, Albuquerque, NM 87102-2162.

Albuquerque IHS Headquarters West Office, Indian Health Service, 2401 12th Street, NW, RM3N, Albuquerque, NM 87102.

Bemidji Area Office, Indian Health Service, 203 Federal Building, Bemidji, MN 56601.

Billings Area Office, Indian Health Service, Post Office Box 2143, 711 Central Avenue, Billings, MT 59103.

California Area Office, Indian Health Service, 2999 Fulton Avenue, Sacramento, CA 95821.

Nashville Area Office, Indian Health Service, 1101 Kermit Drive, Suite 810, Nashville, TN 37217-2191.

Navajo Area Office, Indian Health Service, P.O. Box G, Window Rock, AZ 86515-0190.

Oklahoma Area Office, Indian Health Service, 215 Dean A. McGee Street NW, Room 409, Oklahoma City, OK 73102.

Phoenix Area Office, Indian Health Service, 3738 North 16th Street, Suite A, Phoenix, AZ 85016-5981.

Portland Area Office, Indian Health Service, 1220 SW Third Avenue, Room 476, Portland, OR 97204.

Tucson Area Office, Indian Health Service, 7900 South J.J. Stock Road, Tucson, AZ 85746.

Public Health Service, Centers for Disease Control, Financial Management Office, 1600 Clifton Road, Atlanta, GA 30333.

Public Health Service, Centers for Disease Control, CDC/NIOSH Accounting Branch, Robert A. Taft Laboratories, Room 116, 4676 Columbia Parkway, Cincinnati OH 45226.

Food and Drug Adm., HFA-120, 5600 Fishers Lane, Rockville, MD 20857.

Food and Drug Adm., 880 W. Peachtree St., NW, Atlanta, GA 30309.

Food and Drug Adm., 585 Commercial Street, Boston, MA 02109.

Food and Drug Adm., 599 Delaware Avenue, Buffalo, NY 14202.

Food and Drug Adm., Room 700—Federal Office Bldg., 850 3rd Avenue (at 30th Street), Brooklyn, NY 11232.

Food and Drug Adm., 20 Evergreen Pl., East Orange, NJ 07018.

Food and Drug Adm., Room 1204, U.S. Customhouse, 2nd and Chestnut Streets, Philadelphia, PA 19106.

Food and Drug Adm., 900 Madison Avenue, Baltimore, MD 21201.

Food and Drug Adm., P.O. Box S-4427, San Juan, PR 00905.

Food and Drug Adm., Room 1222, Main Post Office Bldg., 433 West Van Buren Street, Chicago, IL 60607.

Food and Drug Adm., 1560 East Jefferson Avenue, Detroit, MI 48207.

Food and Drug Adm., 1141 Central Parkway, Cincinnati, OH 45202.

Food and Drug Adm., 240 Hennepin Avenue, Minneapolis, MN 55401.

Food and Drug Adm., 3032 Bryan Street, Dallas TX 75204.

Food and Drug Adm., Room 222, U.S. Customhouse Building, 423 Canal Street, New Orleans, LA 70130.

Food and Drug Adm., National Center for Toxicological Research, Jefferson, AR 72079.

Food and Drug Adm., 1009 Cherry Street, Kansas City, MO 64106.

Food and Drug Adm., Room 1002, U.S. Courthouse and Courthouse Building, 1114 Market Street, St. Louis, MO 63101.

Food and Drug Adm., Room 573, New Customhouse Building, 721 19th Street, Denver, CO 80202.

Food and Drug Adm., Room 518, Federal Office Building, 50 Fulton Street, San Francisco, CA 94102.

Food and Drug Adm., 1521 West Pico Boulevard, Los Angeles, CA 90015.

Food and Drug Adm., Federal Office Bldg., 909 First Avenue, Seattle, WA 96174.

National Institutes of Health, Operations Accounting Branch, Bldg. 31, Room B1B07, 9000 Rockville Pike, Bethesda, MD 20014.

National Institutes of Health, Rocky Mountain Laboratory, Hamilton, MT 59840.

Alcohol, Drug Abuse, and Mental Health Administration, Saint Elizabeths Hospital, Finance Office, Administration Bldg., Washington, DC 20032.

Social Security Administration, Program and Fiscal Operations Office, Post Office Box 47, Baltimore, MD 21203.

Social Security Administration, Bureau of Supplemental Income, 4-M-5 Annex Bldg., Baltimore, MD 21235.

Social Security Administration, Bureau of Disability Payments, 1506 Woodlawn Drive, 1J2, Baltimore, MD 21241.

Social Security Administration, Northeastern Program Center, 9605 Horace Harding Expressway, Flushing, NY 11368.

Social Security Administration, Midatlantic Program Center, 401 North Broad Street, Philadelphia, PA 19108.

Social Security Administration, Southeastern Program Center, 225 Third Avenue North, Birmingham, AL 35285.

Social Security Administration, Great Lakes Program Center, 165 North Canal Street, Chicago, IL 60606.

Social Security Administration, MidAmerica Program Center, 601 East 12th Street, Kansas City, MO 84106.

Social Security Administration, Western Program Center, Post Office Box 100, San Francisco, CA 94101.

Health Care Financing Administration, Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, MD 21235.

For Payments to and Collections from individuals records at the following central payments office for grants and contracts:

Office of the Secretary, Federal Assistance Financing Branch, Box 6021, Rockville, MD 20857.

Appendix 2

System Manager, Departmental principles and standards concerning the system of records are the responsibility of:

Department of Health, and Human Services, Assistant Secretary for Management and Budget, Office of the Secretary, Room 510A, Humphrey Building, Washington, DC 20201.

Operational responsibilities are as follows:

For Payments and Collections from individual records at Department and Regional Office:

HHS, Office of Secretary and Regional Office, Office of Secretary, Deputy Assistant Secretary, Finance, Room 70D1, Humphrey Building, Washington, DC 20201.

For Payments and Collections from individuals records at Principal Operating Component Offices:

Health (CDC, FDA, NIH, ADAMHA, HRSA, ASH, IHS)

Public Health Service, Director, Division of Financial Management, Room 16-17, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Social Security Administration, Director, Office of Financial Management, Room 840, Annex Social Bldg., Baltimore, MD 21235.

Office of Human Development, Services Director, Office of Management Services, Room 309D, HHH Building, 200 Independence Ave., SW, Washington, DC 20201.

Family Support Administration, Associate Administrator, Office of Financial Management, HHS Wilber Cohen Building, Room 5611, 300 Independence Avenue SW, Washington, DC 20201.

Health Care Financing Administration Director, Office of Management and Budget, Room G-P-4, East High Rise Building, 6401 Security Blvd., Baltimore, MD 21235 or Room 538.H1, Hubert H. Humphrey Building, 200 Independence Avenue SW, Washington, DC 20201.

09-90-0025

System name:

Central Registry of Individuals Doing Business With HHS, HHS/OS/ASMB 2.

Security classification:

None.

System location:

Division of Financial Operations and Fiscal Procedures, Room
739D1, Humphrey Building, 200 Independence Avenue, SW,
Washington, DC 20201.

Categories of individuals covered by the system:

Individuals who are the recipients of Federal Domestic Assistance Grants, or of contracts awarded by HHS.

Categories of records in the system:

An index of names, addresses and identification number (SSN) of the individual doing business with HHS. No other personally identifiable data are maintained. The index is termed public information since data relative to Federal Domestic Assistance and Contracts are public information.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

This registry is maintained to provide a standard code to uniquely identify entities, including individuals, together with mailing address and other characteristic data to all principal operating components, agencies, regional offices and staff offices of the Department. The use of a single code per entity in all Departmental data systems enhances communication with an entity, as well diminishing the need to maintain duplicative data and files at various locations. Major categories of entities in the central file are those awarded contracts and awarded grants under Federal Domestic Assistance programs. Only those persons in the Department with a "need to know" have access to the published registry and to the automated records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

c. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

d. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

e. Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

f. Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission records in this system of records may be disclosed to such organization.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Hard copy code booklets are manually filed at agency and regional office sites; and on disc pack and magnetic tapes at central computer sites.

Retrievability:

Record may be found in the Code Book by either name or social security number; record in the disc pack and on magnetic tape is indexed by social security number. The Code Book provides a listing of data processing numbers for grant, contract and financial transactions. These numbers are used to access the name and address of the individual in the Automated Library (Central Registry). The information is used for check preparation, reports, mailings, etc.

Safeguards:

Safeguards to insure integrity of records, and that required to provide protection against loss by accident or carelessness.

Retention and disposal:

Records are purged from the automated file each two years; only persons actively dealing with HHS remain on file. Code Books are replaced each year. Inactive books are destroyed.

System manager(s) and address:

Deputy Assistant Secretary, Finance, Department of HHS,
Office of the Secretary, Room 705D1, Humphrey Building,
330 Independence Avenue, SW, Washington, D.C. 20201.

Notification procedure:

Inquiries are to be made, either in writing or in person, to the organization listed under "location". Give name and social security number.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under System Location, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Grant and Contract documents. Names, social security numbers and addresses are provided by the individual when applying for a grant or contract from the Department.

Systems exempted from certain provisions of the act:

None.

09-90-0027

System name:

Congressional Correspondence Unit, HHS/OS/ASL.

Security classification:

None.

System location:

Room 435G Humphrey Building, 200 Independence Avenue,
SW, Washington, D.C. 20201

Categories of individuals covered by the system:

Members of Congress indexed by name.

Categories of records in the system:

Control information recording, direct inquiries and referrals of constituents' inquiries from Members of Congress, and responses to those inquiries, regarding the Department's activities, including, but not necessarily limited to: a. General program activities of the Department; b. individual case problems of named persons, families or institutions; c. employment or appointment interests. Control slips identifying the correspondent, the constituent on whose behalf the inquiry is made, the constituent's social security number if inquiry relates to a social security case, and a summary of the subject matter of the inquiry.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

To provide response to inquiries from a member of Congress made on behalf of a constituent regarding the Department's activities, including, but not limited to general program activities of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Inquiries which do not pertain to HHS, but fall under the jurisdiction of another Federal Agency, are transferred to that Agency with a request that a direct response be provided to the correspondent. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on magnetic (floppy) disks.

Retrievability:

Records are indexed alphabetically by name of the Members of Congress. Inquiries are forwarded to the HHS Agency which has jurisdiction over the subject matter for preparation of a response.

Safeguards:

Records are kept in office with access limited to those whose official duties require access.

Retention and disposal:

Records are reviewed biannually, and maintained for two years.

System manager(s) and address:

Director, Congressional Liaison Office, Office of the Assistant
Secretary for Legislation, Room 417 H Humphrey Bldg, 200
Independence Avenue, SW. Washington, D.C. 20201.

Notification procedure:

System Manager; address same as above. The name of the person who corresponded with the Department with reference to the constituent and the approximate date of that correspondence must be provided.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information in CCU files is provided by the correspondent and by the agency which prepares the final response.

Systems exempted from certain provisions of the act:

None.

09-90-0028

System name:

Biographies and Photographs of HHS Officials HHS/OS/ASPA.

Security classification:

None.

System location:

Office of the Assistant Secretary for Public Affairs, News
Division, Room 638E, Humphrey Building, 200 Independence
Avenue, SW, Washington, D.C. 20201 (see Appendix 1
following)

Categories of individuals covered by the system:

HHS employees in key management and technical positions, such as the Secretary, Under Secretary, Assistant Secretaries, Deputy Assistant Secretaries, Commissioners, Regional Directors, Deputy Regional Directors, Agency Heads, Unit Managers.

Categories of records in the system:

Biographical files consist of approved, printed personal and professional résumés and standard portrait pictures and biographical and professional questionnaires providing name, title, office location, telephone number, date of appointment to HHS, home address, home telephone, date of birth, place of birth, marital status, spouse's name, children's names, children's date of birth, education, military service, professional career data, professional affiliations, publications and articles authored, awards, citations, prizes and honors received, civic, social and fraternal associations, outside interests, such as hobbies, sports, recreation.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

These records are maintained and made available to staff of the Department who have a need for photographs or background information on top officials of HHS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request to that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in individual and combined files and stored in standard five-drawer file cabinets in offices listed under System Location.

Retrievability:

Records are indexed by the name in alphabetical order, of those in higher management and technical positions with the remainder combined in a 'miscellaneous' folder or folders. These records are made available to staff of the Department who have a need for photos of background information on these officials.

Safeguards:

Files are maintained in the offices of Public Affairs and requests are honored 'on a need to know' basis only.

Retention and disposal:

Records are periodically updated as circumstances warrant relative to promotions, reassignment, resignations, death.

System manager(s) and address:

Same as in Location above and Appendix 1.

Notification procedure:

Contact System Managers in areas where individual is employed. Addresses same as above with the exception of Food and Drug Administration, contact: FDA Privacy Coordinator (HF-50), Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20857.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information contained in the biographies comes from the individuals whose biographies they form and from other material furnished by agency public information offices. The biographies are cleared with the individuals whose biography they represent prior to release to the public and the news media.

Systems exempted from certain provisions of the act:

None.

Appendix 1

Public Affairs Officer, Alcohol, Drug Abuse, and Mental Health
Administration, Room 60-15, 5600 Fishers Lane, Rockville,
Maryland 20857.

Public Affairs Officer, Center for Disease Control, Room 2067,
Building 1, 1600 Clifton Road, Atlanta, Georgia 30333.

Public Affairs Officer, Food and Drug Administration, Room
15B42, 5600 Fishers Lane, Rockville, Maryland 20857.

Public Affairs Officer, Health Resources Administration, Room
1030, Center Building, 3700 East-West Highway, Rockville,
Maryland 20782.

Public Affairs Officer, Health Services Administration, Room
14A55, 5600 Fishers Lane, Rockville, Maryland 20857.

Public Affairs Officer, National Institutes of Health, Room 309,
Building 1, 9000 Rockville Pike, Bethesda, Maryland 20014.

Director, Public Health Services, Office of Public Affairs, Room
721H, HHH Bldg., 200 Independence Ave., SW, Washington,
D.C. 20201.

Public Affairs Officer, Health Care Financing Administration,
Room 4244 HHS North, Humphrey Building, 330
Independence Ave. SW, Washington, D.C. 20201.

Public Affairs Officer, Social Security Administration, Rm 900
Altmeyer Bldg., 6401 Security Boulevard, Baltimore,
Maryland 21235.

Public Affairs Officer, Department of Health and Human
Services, John F. Kennedy Federal Building, Government
Center, Boston, Massachusetts 02203.

Public Affairs Officer, Department of Health and Human
Services, Federal Building, 26 Federal Plaza, New York, New
York 10007.

Public Affairs Officer, Department of Health and Human
Services, P.O. Box 13716, Philadelphia, Pennsylvania 19101.

Public Affairs Officer, Department of Health and Human
Services, 101 Marietta Towers, Suite 1403, Atlanta, Georgia
30323.

Public Affairs Officer, Department of Health and Human
Services, 300 South Wacker Drive, 35th Floor, Chicago,
Illinois 60606.

Public Affairs Officer, Department of Health and Human
Services, 1200 Main Tower Building, 11th Floor, Dallas,
Texas 75202.

Public Affairs Officer, Department of Health and Human
Services, 601 East 12th Street, Kansas City, Missouri 64106.

Public Affairs Officer, Department of Health and Human
Services, 19th and Stout Sts., RM10006, Fed Ofc. Bldg.,
Denver, Colorado 80294.

Public Affairs Officer, Department of Health and Human
Services,
Federal Office Building, 50 United Nations Plaza, San Francisco,
California 94102.

Public Affairs Officer, Department of Health and Human
Services, 2901 Third Avenue, Seattle, Washington 98121.

09-90-0036

System name:

Employee Suggestion Program Records, HHS/OS/ASPER.

Security classification:

None.

System location:

This system is located in employee suggestion offices of the Department. See Appendix 1 for exact locations.

Categories of individuals covered by the system:

Individuals who have made suggestions in OS and in Operating Divisions of the Department; and/or suggestions made by individuals in other Federal Departments requiring an HHS evaluation.

Categories of records in the system:

Suggestions, evaluations of suggestions, name and address of individuals submitting suggestions, other identifying information such as salary and grade, including position title, and, optionally, a social security account number.

Authority for maintenance of the system:

5 U.S.C. 4501 et seq.

Purpose(s):

Records in this system are used to control, evaluate, and make award determinations on employee suggestions. These records are maintained in each component of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Office of Personnel Management for information, possible award. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in standard sized file cabinets.

Retrievability:

The records are indexed in alphabetical order by the name of the employee submitting the suggestion.

Safeguards:

Direct access restricted to authorized staff.

Retention and disposal:

After final action, suggestion records are maintained for two years and then destroyed.

System manager(s) and address:

See Appendix 1 for overall system manager and immediate system managers.

Notification procedure:

Contact the appropriate system manager indicated in Appendix 1.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411).

Record source categories:

Incoming suggestions, responses, evaluations and other material obtained during course of adjudication.

Appendix 1

List of System Managers and Locations for Employee Suggestion Matters.

Overall System Manager:
Employee Suggestion Officer, Room 1232, Switzer Building, 330 C St., SW, Washington, D.C. 20201

Immediate System Managers:
Employee Suggestion Officer, Social Security Administration, G-110 West High Rise, Maryland 21235

Employee Suggestion Officer, Health Care Financing Administration, GP3, East Low Rise, 6401 Security Blvd., Baltimore, Maryland 21235

Employee Suggestion Officer, Office of Human Development Services, Humphrey Building, Room 345D, 200 Independence Ave. SW, Washington, D.C. 20201

PHS OASH Employee Suggestion Officer, 17-75 Parklawn Building, Rockville, Maryland 20857

CDC Employee Suggestion Officer, 1600 Clifton Road NE., Building 1, 6062, Atlanta, Georgia 30333

FDA Employee Suggestion Officer, 5600 Fishers Lane, Room 9-57, Rockville, Maryland 20857

HRSA Employee Suggestion Officer, Room 14A-30 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

ADAMHA Employee Suggestion Officer, 12C-05 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

NIH Employee Suggestion Officer, Building 31, Room 3-B-07, Bethesda, Maryland 20205

Regional Employee Suggestion Officer, Region I, Department of Health and Human Services, John F. Kennedy Federal Building, Government Center—Room 2411, Boston, Massachusetts 02203

Regional Employee Suggestion Officer, Region II, Department of Health and Human Services, Regional Personnel Office, Operations Branch II, Room 39-120, 26 Federal Plaza, New York, New York 10007

Employee Suggestion Officer, Region III, Department of Health and Human Services, 3535 Market Street, Room 9400, Philadelphia, Pennsylvania 19101

Employee Suggestion Officer, Region IV, Department of Health and Human Services, 101 Marietta Towers, Room 1601, Atlanta, Georgia 30323

Employee Suggestion Officer, Region V, 31st Floor, 300 S. Wacker Drive, Chicago, Illinois 60606

Employee Suggestion Officer, Region VI, Department of Health and Human Services, 1200 Main Towers, Room 1000, Dallas, Texas 75202

Employee Suggestion Officer, Region VII, Department of Health and Human Services, Room 468, 601 E. 12th Street, Kansas City, Missouri 64106

Employee Suggestion Officer, Region VIII, Department of Health and Human Services, Federal Office Building, Room 1031, 1961 Stout Street, Denver, Colorado 80294

Employee Suggestion Officer, Region IX, Department of Health and Human Services, Federal Office Building, Room 419, 50 United Nations Plaza, San Francisco, California 94102

Employee Suggestion Officer, Region X, Department of Health and Human Services, Arcade Plaza, Room 6039, 1321 Second Avenue, Seattle, Washington 98101

09-90-0037

System name:

Secretariat Correspondence Control System. HHS/OS/ES.

Security classification:

None.

System location:

Room 602C, Humphrey Bldg., 200 Independence Avenue SW., Washington, D.C. 20201.

Categories of individuals covered by the system:

Individuals who have contacted the Secretary, the Under Secretary, or other HHS officials, or who have been contacted in writing to them.

Categories of records in the system:

Control information from the Secretary's, Under Secretary's, or other HHS officials' correspondence to include a subject narrative, organization drafting the response, and type of action required from the Department. This information is contained on hardcopy printouts, computer magnetic tape, and computer disk units.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

To provide for the Secretary, the Assistant Secretaries, and the Operating Divisions the capability to control, track and update document records as the documents are processed within the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained as follows: Hardcopy printouts are stored in standard file cabinets in a locked area; computer records are stored on either magnetic tape resident in a computer tape library, or, an on-line computer disk unit at the operational computer site.

Retrievability:

Records are indexed chronologically by date of correspondence and also by name, subject and numerical control number. Records are available to staff responsible for preparation of responses to inquiries and to the staff of the Executive Secretariat(s). Records are used for control and reference purposes in staffing out issues and correspondence of concern to the Secretary, the Under Secretary, or operational divisions/staff office heads.

Safeguards:

Direct access is limited to the staff of the Executive Secretariat and OP DIV. staff control personnel to both hardcopy and computer resident records. Access is limited during non-working hours to the hardcopy records to these individuals with keys to both the file cabinets and rooms where the records are stored. Remote computer terminal locations are protected with individual user identification numbers and passwords to the computer system. Where possible, computer terminal locations are locked during non-working hours.

Retention and disposal:

Hard copy records are retired to the National Archives after three years. Control records are maintained for three years. Computer records are purged after correspondence is finalized to a history file.

System manager(s) and address:

Executive Secretary to the Department, Room 636G, Humphrey
Bldg., 200 Independence Avenue, SW, Washington, D.C.
20201.

Notification procedure:

Inquiries should be addressed to the System Manager. The inquirer should indicate the individual with whom the Secretary, Under Secretary, or OP DIV. staff office head corresponded, the date of the incoming correspondence and the date of the outgoing correspondence from the Secretary, the Under Secretary, of OP DIV. staff office head. Address is same as above.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Computer records are derived from the incoming correpondence for the Secretary and the Under Secretary.

Systems exempted from certain provisions of the act:

None.

09–90–0038

System name:

Secretary's Official Files HHS/OS/ES.

Security classification:

None.

System location:

Room 636G, Humphrey Building, 200 Independence Avenue,
SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Individuals who have contacted the Secretary or the Under Secretary or who have been contacted in writing by them.

Categories of records in the system:

Hard copies of documents signed or initialed by the Secretary or the Under Secretary.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

The Secretary's Official Files are maintained to preserve the historical record of actions taken by the decisions made by the Secretary and the Under Secretary of the Department of Health and Human Services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, and component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in hard copy filed in standard file cabinets.

Retrievability:

Records are indexed by subject, name, organization, and key words. Records are available to the staff of the Executive Secretariat and the Immediate Office of the Secretary for reference purposes in staffing out issues of concern to the Secretary of the Under Secretary.

Safeguards:

Direct access is limited to the staff of the Executive Secretariat. Access is limited during non-working hours to individuals with keys to the file room.

Retention and disposal:

Records are maintained for three years and are then sent to the National Archives.

System manager(s) and address:

Executive Secretary to the Department, Room 636G, Humphrey
Building, 200 Independence Avenue, SW, Washington, D.C.
20201.

Notification procedure:

Inquiries should be addressed to the system manager at the above address. The inquirer should indicate the subject matter of the issue involved, the date of the subject documents, and the author and/or addresses.

Record access procedures:

Same as above.

Contesting record procedures:

Same as above. In addition indicate corrective action sought and reason for corrections with supporting justification.

Record source categories:

Records are derived from documents signed or initialed by the Secretary of the Under Secretary.

Systems exempted from certain provisions of the act:

None.

09–90–0041

System name:

Consumer Mailing Lists, HHS/OS/OCA.

Security classification:

None.

System location:

1009 Premier Bldg., 1725 Eye Street, NW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Individual consumers media representatives, academicians, librarians, business and government officials.

Categories of records in the system:

Names and address of individuals and organizations.

Authority for maintenance of the system:

Executive Order 011583 of February 24, 1971 and Reorganization Plan 01 of 1953.

Purpose(s):

Used by the United States Office of Consumer Affairs Consumer Information staff to distribute information on current consumer topics to consumers, academicians, librarians, business, government and the media.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used by the OCA, Consumer Information staff to distribute information on current consumer topics to consumers, academicians, librarians, business, government and the media. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation the defendant, is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Conventional file cabinets and computers.

Retrievability:

By name, organization, and Zip Code.

Safeguards:

Personnel screening during working hours and secured building after working hours.

Retention and disposal:

Files are updated periodically and disposed of through normal trash and erasure of computer tapes.

System manager(s) and address:

Director, Consumer Information, 1009 Premier Bldg., 1725 Eye Street, NW, Washington, D.C. 20201.

Notification procedure:

Director, Office of Management and Consumer Complaints, 1009 Premier Bldg., 1725 Eye Street, NW, Washington D.C. 20201.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Correspondence and telephone calls from individual consumers, business, academicians, librarians, and government officials.

Systems exempted from certain provisions of the act:

None.

09–90–0046

System name:

Consumer Complaint Correspondence System HHS/OS/OCA.

Security classification:

None.

System location:

1009 Premier Bldg., 1725 Eye Street, NW, Washington, D.C.
20201.

Categories of individuals covered by the system:

Individual consumers.

Categories of records in the system:

Correspondence concerning consumer complaints referred to OCA by Congressional offices or White House and other consumer complaint correspondence.

Authority for maintenance of the system:

Executive Order 011583, February 24, 1981; Reorganization Plan 01 of 1953.

Purpose(s):

Resolution of individual citizen complaints through referral to other Federal agencies, non-Federal governments, voluntary groups and private business firms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Resolution of individual citizen complaints through referral to other Federal agencies, non-Federal governments, voluntary groups and private business firms. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation the defendant is (a) the Department, any Component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Individual files in cabinets.

Retrievability:

Correspondence referred to other Federal offices is not maintained. Correspondence referred to non-Federal parties is stored only by sequential file number. Correspondence referred from Congressional offices is retrievable by name of member of Congress and reference to a sequential file number.

Safeguards:

Personnel screening during working hours and secured building after working hours.

Retention and disposal:

Records are retained for not less than one or more than two years.

System manager(s) and address:

Director, Office of Management and Consumer Complaints, 1009
Premier Bldg., 1725 Eye Street, NW, Washington, D.C.
20201.

Notification procedure:

System manager. Address is same as above.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Correspondence and telephone calls from individual consumers.

Systems exempted from certain provisions of the act:

None.

09-90-0050

System name:

Case Information Management System HHS/OS/OCR

Security classification:

None.

System location:

See System Manager and Appendix 1.

Categories of individuals covered by the system:

Persons filing complaints with the Office for Civil Rights.

Categories of records in the system:

Name, characteristics of the complaint and critical events in OCR's processing of the complaints.

Authority for maintenance of the system:

Title VI of the 1964 Civil Rights Act; Sections 799A and 855 of the Public Health Service Act; Section 504 of the 1973 Rehabilitation Act; the Age Discrimination Act; The Equal Employment Opportunity Provisions of the Public Telecommunications Financing Act of 1978; Title VI and Title XVI of the Public Health Service Act (the "community services obligation" of facilities funded under the Act); Title IX of the 1972 Education Amendments; Section 407 of the Drug Abuse Office and Treatment Act; and Section 321 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970.

Purpose(s):

The system is designed to report the status of all complaints currently being investigated by OCR.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic disc and tape.

Retrievability:

Records are indexed by case or complaint number, but may be recalled by name, address, or any other recipient characteristic by OCR staff engaged in compliance activities.

Safeguards:

The physical data processing storage is controlled by HHS which enforces appropriate security measures. This agency references data through communication terminals with access controlled by passwords. The Department's ADP Systems Manual, Part 6, ADP Systems Security, govern the control.

Retention and disposal:

Indefinite retention. Disposal by electronic erasure.

System manager(s) and address:

Deputy Director, Office for Program Operations, Office for
Civil Rights, 330 Independence Avenue SW., Washington,
D.C. 20201.

And, Regional Directors, see Appendix 1.

Notification procedure:

Contact System Manager (above), or Regional Director (see Appendix 1). Include name and address of complainant, and name of the recipient against which the allegation was filed.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Request should be made to the system manager in the regional office where the record is most likely to be kept (determined by location of the institution or facility against which the allegation was originally filed). When this location is in doubt request should be made to the Deputy Director, Office of Compliance and Enforcement, (see above, System Manager).

Contesting record procedures:

Contact the official(s) at the address specified under system manager or Appendix 1, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in complaint investigation files.

Systems exempted from certain provisions of the act:

None.

Appendix Number 1 System Locations

This system is located at HHS offices in the following cities.

Region I, Regional Director, OCR/DHHS, 140 Federal Street—
14th Floor, Boston, MA 02110.

Region II, Regional Director, OCR/DHHS, 26 Federal Plaza—
Room 3900, New York, NY 10278.

Region III, Regional Director, OCR/DHHS, 3535 Market
Street—Post Office Box 13716, Philadelphia, PA 19101.

Region IV, Regional Director, OCR/DHHS, 101 Marietta
Street—Suite 2806, Atlanta, GA 30323.

Region V, Regional Director, OCR/DHHS, 300 South Wacker
Drive—32nd Floor, Chicago, IL 60606.

Region VI, Regional Director, OCR/DHHS, 1200 Main Tower
Bldg.—Room 1900, Dallas, TX 75202.

Region VII, Regional Director, OCR/DHHS, 601 E. 12th
Street—Room 248, Kansas City, MO 64106.

Region VIII, Regional Director, OCR/DHHS, Federal Office
Building, 1961 Stout Street—Room 1326, Denver, CO 80294.

Region IX, Regional Director, OCR/DHHS, 1275 Market
Street—14th Floor, San Francisco, CA 94103.

Region X, Regional Director, OCR/DHHS, 1321 Second
Avenue—MS/723, Seattle, WA 98101.

09-90-0051

System name:

Complaint Files and Log, Office of Management and Administration, HHS/OS/OCR.

Security classification:

None.

System location:

See Appendix 1, System 09–90–0050.

Categories of individuals covered by the system:

Individuals who file complaints alleging discrimination under the statutes identified below (Authority for Maintenance).

Categories of records in the system:

Complaint allegations, information gathered during the complaint investigation, findings, and results of the investigation, and correspondence relating to the investigation.

Authority for maintenance of the system:

Title VI of the 1964 Civil Rights Act; Sections 799 A and 855 of the Public Health Service Act; Section 504 of the 1973 Rehabilitation Act; the Age Discrimination Act; The Equal Employment Opportunity Provisions of the Public Telecommunications Financing Act of 1978; Title VI and Title XVI of the Public Health Service Act Title IX of the 1972 Education Amendments; Section 407 of the Drug Abuse Office and Treatment Act; and Section 321 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970.

Purpose(s):

This file system is designed to store the results of all OCR regional investigations, for retrieval of information on the resolutions of complaints. Files are maintained to record the results of the complaint investigations so that OCR can determine if there was discrimination as charged in the original complaint.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Files may be reviewed by the Department of Justice, the Equal Employment Opportunity Commission, or other Federal and State agencies when necessary to complete an investigation, enforce the statutes, or assure proper coordination.

OCR may contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department or any employee of the Department in his or her official capacity (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and file cards.

Retrievability:

By name for use by OCR staff in complaint investigations.

Safeguards:

Printed materials are filed in lockable cabinets. The Department's ADP Systems Manual, Part 6, ADP Systems Security, govern the control. Categories of users include OCR investigators, team leaders, branch chiefs, division directors, PRMs unit staff, Office of Compliance and Enforcement staff.

Retention and disposal:

2 years from date complaint is closed.

System manager(s) and address:

Deputy Director, Office for Program Operations, Office for
Civil Rights, 330 Independence Avenue, SW, Washington,
D.C. 20201.

And Regional Directors, see Appendix 1 to Case Information
Management System HHS OS/OCR System 09–90–0050.

Notification procedure:

Contact system manager (above) or Regional Directors (see Appendix 1). Include name and address of complainant, a copy or summary of allegations contained in the original complaint, name of the institution against which the allegation was filed, and the date of the original allegation.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Request should be made to the system manager in the regional office where the record is most likely to be kept (determined by location of the institution or facility against which the allegation was originally filed.) When this location is in doubt request should be made to the Deputy Director, Office of Compliance and Enforcement, Washington, D.C. (see above, System Manager).

Contesting record procedures:

Contact the official(s) at the address specified under system manager or Appendix 1, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Complaint and information filed with the Department by or on behalf of the individual complainant, also data provided by the alleged discriminator and other parties.

Systems exempted from certain provisions of the act:

None.

09–90–0058

System name:

Freedom of Information Case Files and Correspondence Control Log, HHS/OS/ASPA/FOIA.

Security classification:

None.

System location:

Freedom of Information/Privacy Act Division, Room 645F Humphrey Building, 200 Independence Avenue SW, Washington, DC 20201 (see Appendix I, following, for additional locations).

Categories of individuals covered by the system:

Individuals or organizations requesting access to inspect and/or copy records of the Department under provisions of the Freedom of Information Act.

Categories of records in the system:

Name, address, and other individually identifying information about the requester, the request, and records reflecting processing of the request.

Authority for maintenance of the system:

Freedom of Information Act, 5 U.S.C. 552.

Purpose(s):

Records are used by the Freedom of Information staff involved in FOIA correspondence and processing, as well as by appeals officials and members of the Office of General Counsel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed from this system for routine uses to:

1. The Department of Justice for the purpose of obtaining advice as to whether or not the records should be disclosed.

2. A contractor for the purpose of collating, aggregating, analyzing, or otherwise refining records in this system. The contractor shall be required to maintain Privacy Act safeguards in working with such records.

3. A congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

4. The Department of Justice, or to a court or other tribunal or to another party before such tribunal, when (a) HHS, or any component of HHS; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof, where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The original, or a copy, of the incoming request and the written response are maintained in case file folders and stored in metal file cabinets. Cross-reference data is maintained in a correspondence control log stored in a personal computer and printed as hard copy on paper as needed.

Retrievability:

Records are almost always retrieved by the name of the individual who made the FOIA request during a given calendar year. In addition, each request is assigned a case file number that identifies the year in which the request was made and the number of the request. For example, 89–432. Records also can be retrieved by this case file number.

Safeguards:

1. Authorized Users: Access is limited to involved program officials, FOIA staff, appeals officials, and members of the Office of General Counsel who are involved in the processing of FOIA requests and appeals.

2. Physical Safeguards: The case file folders are stored in file cabinets in secure areas that are either occupied by staff personnel involved in processing FOIA requests and appeals or locked up during non-working hours, or whenever staff are not present in these areas. In addition, entrance to the buildings where case files are maintained is controlled by security guards.

3. Procedural Safeguards: Access to records is limited to those staff members who are familiar with both the FOIA and the Privacy Act. System Managers are held responsible for safeguarding the records under their control.

Retention and disposal:

The National Archives and Records Administration issues General Records Schedules that provide disposition authorization for records common to several or all agencies of the Federal Government. Schedule 14 (June 1988) sets forth detailed disposition requirements for FOIA records.

1. Case files are retained for two years and then destroyed when access to all requested records is granted.

2. Case files are destroyed after six years when access to all or part of the records is denied.

3. In the event of an appeal, the files are destroyed six years after final determination by the Department, or three years after final adjudication by the courts, or six years after the time at which a requester could file suit, whichever is later.

4. Correspondence control logs are destroyed six years after the date of last entry.

System manager(s) and address:

Director, Freedom of Information/Privacy Act Division, 645F Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201 (See Appendix I, following, for additional system managers.)

Notification procedure:

System managers. Addresses same as above.

Record access procedures:

A person may request access to these records in writing, in person, or by telephone to the system managers listed above and in Appendix I. The managers may require proof of identity whenever they are in doubt about the identity of the person making the request.

Contesting record procedures:

A person may contest information in these records by contacting the system managers listed above and in Appendix I, and by identifying the information contested; the corrective action sought; and reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals and organizations making requests under the FOIA, and components of the Department and other agencies that search for and provide the records and related correspondence that are maintained in the case files.

Systems exempted from certain provisions of the act:

None.

Appendix I

HHS Freedom of Information Officer, Room 645F Humphrey Building, 200 Independence Avenue SW, Washington, DC 20201. Tel: (202) 472–7453.

SSA Freedom of Information Officer, Room 4–H–8 Annex Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Tel: (301) 965–3962.

HCFA Freedom of Information Officer, Room 100 Professional Building, Office of Public Affairs, 6660 Security Blvd, Baltimore, Maryland 21207. Tel: (301) 966–5352.

PHS Freedom of Information Officer, Room 13–C–24 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Tel: (301) 443–5252.

FDA Freedom of Information Officer, HFW–35, Room 12A16 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Tel: (301) 443–1813.

NIH Freedom of Information Officer, National Institutes of Health, Building 31, Room 2B39, 9000 Rockville Pike, Bethesda, Maryland 20892. Tel: (301) 496–5633.

CDC Freedom of Information Officer, Centers for Disease Control, 1600 Clifton Road, NE, Atlanta, Georgia 30333. Tel: (404) 639–2388.

HRSA Freedom of Information Officer, Room 1443 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Tel: (301) 443–2086.

ADAMHA Freedom of Information Officer, Room 12–C–15, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Tel: (301) 443–3783.

IHS Freedom of Information Officer, Room 5–A–39 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Tel: (301) 443–3593.

09–90–0059

System name:

Federal Advisory Committee Membership Files, HHS/OS/ASPER.

Security classification:

None.

System location:

Department and component committee management offices. See Appendix 1.

Categories of individuals covered by the system:

Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Department of Health and Human Services. Additionally the system of records contains information about members of the public who have requested that they receive various publications through the inclusion of their names and addresses on various mailing lists.

Categories of records in the system:

Information maintained on those individuals who have requested participation on mailing lists is limited to name and mailing address. Information maintained on individuals who are past, present, or recommended members of advisory committees subject to this notice consists of one or more of the following name, title, sex, place and date of birth, home address, business address, organizational affiliation, phone number, degrees held, general educational background, ethnic background, resume, curriculum vitae, dates of term on advisory committee, status on advisory committee, reason for leaving advisory committee, previous or current membership on other advisory committees, special qualifications of the individual for the advisory committee membership, source who recommended the individual for membership on advisory committee and miscellaneous correspondence. Additionally, memoranda justifying the individual's selection are included in the file in cases in which the individual has served repetitively on advisory committees, has not had a one-year break in service on advisory committees, or where various statutory or other requirements for advisory committee membership cannot be met.

Authority for maintenance of the system:

Federal Advisory Committee Act (5 U.S.C. App. I et seq.).

Purpose(s):

Records in this system are used in the administration and management of Federal advisory committees in the Department, including the preparation of reports; quarterly alphabetical listings of past, present, and recommended advisory committee members; lists of vacancies, acceptances, and separations; and documentation of nominations. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Annual Report to the President; administrative reports to OMB and GSA.

In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of is components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in hard-copy filed in file cabinets, on index cards, on magnetic tape, or in computer storage.

Retrievability:

For the most part records are maintained in an alphabetical index by name of the individual. Certain files are based on other factors, e.g., Advisory Committee name, with a cross index based on an alphabetical listing of individuals. Certain other records are retrievable by individually identifiable computer identification codes. Certain of the mailing lists which are maintained are indexed by ZIP Code and within zone by alphabetical listing by name of the individual. Records from the system are available to the staffs of the respective Advisory Committees, the Committee Management Officers, the Departmental Committee Management Officer and other Departmental staff on a need-to-know basis.

Safeguards:

Direct access to records is restricted to authorized personnel through locked files, rooms, and buildings as well as building pass and security guard sign-in systems. Certain facilities are also protected by closed circuit television systems. Computer systems are secured through locked magnetic tape libraries as well as lockword-password computer access systems.

Retention and disposal:

Retention is variable from one year to permanent retention depending upon the type of record, e.g., names of former members of advisory committees are retained permanently. Certain records are disposed of by referral to the Federal Records Center. Others are disposed of as trash by the system manager or office of security depending upon the confidentiality of the information contained on the record.

System manager(s) and address:

See Appendix 1.

Notification procedure:

Same as above with the exception of Food and Drug Administration, contact: FDA Privacy Coordinator (HF-50), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Verification of identification of individuals inquiring as to information contained in this System shall be in accordance with the procedures outlined in regulations published by the Department of Health and Human Services to implement the Privacy Act.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The vast majority of information contained in records on individuals is obtained directly from the individual. Other information in the form of references and recommendations is obtained from other private individuals, program personnel, biographical reference books, private organizations, former employers, regional office of HHS, Members of Congress, and other government sources.

Appendix 1

Department of Health and Human Services, Department Committee Management Officer, Mary Switzer Building, Room 2319, 330 Independence Ave., SW., Washington, D.C. 20201

Alcohol, Drug Abuse, and Mental Health Administration, Office of the Administrator, Committee Management Officer, Room 13-103, 5600 Fishers Lane, Rockville, Maryland 20857

Centers for Disease Control, Committee Management Officer, Management Analysis Branch, Building 4, Room 225, 1600 Clifton Road, NE, Atlanta, Georgia 30333

Food and Drug Administration, Office of Management and Operations, Division of Management Systems and Policy, Committee Management Office, Room 12-21, 5600 Fishers Lane, Rockville, MD 20857

Health Care Financing Administration, Records Committee Management Officer, Bay A-1, 1710 Gwynn Oak Avenue, Baltimore, Maryland 21235

Health Resources and Services Administration, Office of Program Policy Coordination, Committee Management Officer, Parklawn Building, Room 14-05, 5600 Fishers Lane, Rockville, Maryland 20857

National Institutes of Health, Committee Management Officer, National Institutes of Health, Building 01, Room 303, Bethesda, Maryland 20205

Social Security Administration, OMBP, Office of Management, Budget and Personnel, Committee Management Officer, Room 828, Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235

Office of the Assistant Secretary for Health, OASH Committee Management Officer, Parklawn Building, Room 17-69, 5600 Fishers Lane, Rockville, Maryland 20857

Office of the Assistant Secretary for Planning and Evaluation, Committee Management Officer, Room 405-F, HHH Building, 200 Independence Ave., SW, Washington, D.C. 20201

Office of the Assistant Secretary for Human Development Services, Committee Management Officer, Room 308-E, HHH Building, 200 Independence Ave., SW, Washington, D.C. 20201

09-90-0062

System name:

Administrative Claims. HHS/OS/OGC.

Security classification:

None.

System location:

See Appendix.

Categories of individuals covered by the system:

HHS employees, recipients of Federal assistance under HHS funded programs, and members of the public who have a claim against HHS or against whom HHS has a claim—Federal Torts Claims Act, Military Personnel and Civilian Employees Claims Act, Federal Claims Collection Act, Federal Medical Care Recovery Act, Act for Waiver of Overpayment of Pay.

Categories of records in the system:

Information that is pertinent to the particular claim being asserted, including accident reports, hospital records, charges for medical services, certifications of overpayment, certifications of indebtedness, audits of payroll accounts during periods of overpayments, earning and leave statements, claims officers memorandum, final determinations made on claims, identity of debtors and information pertaining to how debts arose.

Authority for maintenance of the system:

Federal Tort Claims Act, 28 U.S.C. 261–2680, 1346(b); Waiver of Overpayment of Pay Act, 5 U.S.C. 5584; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240–243; Federal Claims Collection Act, 31 U.S.C. 951–953; Federal Medical Care Recovery Act, 42 U.S.C. 2651–2653.

Purpose(s):

To adjudicate claims asserted by or against the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records from this system may be disclosed as follows: 1. Federal, State, and local government agencies, private individuals, private and public hospitals, allegedly negligent parties, private attorneys, insurance companies, individual law enforcement officers, tribal officials, and other persons with relevant information for the purpose of investigating, settling, or adjudicating claims and subsequent litigation action.

2. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

4. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether local, state, federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

6. To a federal, state or local agency maintaining civil, criminal or other pertinent records, such as current licenses, if necessary to obtain a record relevant to a DHHS decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. To a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

8. To the Department of Justice or other appropriate federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

9. A record from this system may be disclosed to the following entities in order to help collect a debt owed the United States:

a. To another Federal agency so that agency can effect a salary offset;

b. To another Federal agency so that agency can effect an administrative offset under common law or under 31 U.S.C. 3716 (withholding from money payable to, or held on behalf of, the individual);

c. To the Treasury Department to request his/her mailing address under I.R.C. 6103(m)(2) in order to locate him/her or in order to have a credit report prepared;

d. To agents of the Department and to other third parties to help locate him/her in order to help collect or compromise a debt;

e. To debt collection agents under 31 U.S.C. 3718 or under common law to help collect a debt; and

f. To the Justice Department for litigation or further administrative action.

Disclosure under part (d) of this use is limited to the individual's name, address, Social Security Number, and other information necessary to identify him/her. Disclosure under parts (a)–(c) and (e) is limited to those items; the amount, status, and history of the claim; and the agency or program under which the claim arose. An address obtained from IRS may be disclosed to a credit reporting agency under part (d) only for purposes of preparing a commercial credit report on the individual. Part (a) applies to claims or debts arising under or payable under the Social Security Act if and only if the employee consents in writing to the offset.

10. A record from this system may be disclosed to another federal agency that has asked the Department to effect an administrative offset, under common law or under 31 U.S.C. 3716, to help collect a debt owed the United States. Disclosure under this routine use is limited to: Name, address, Social Security Number, and other information necessary to identify the individual; information about the money payable to or held for the individual; and other information concerning the administrative offset.

11. Disclosures with regard to claims or debts arising under or payable under the Social Security Act may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). However, this disclosure will not be made with regard to debts from overpayments to beneficiaries under Title II (Old-Age, Survivors, and Disability Insurance) and Title XVI (Supplemental Security Income) of this Act. The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal Government. Disclosure of records is limited to the individual's name, address, Social Security number, and other information necessary to establish the individual's identity; the amount, status, and history of the claim; and the agency or program under which the claim arose.

12. When a debt becomes legally or administratively uncollectible in whole or in part, a record may be disclosed to the Internal Revenue Service to report the written-off part as income.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collections Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal Government, typically, to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Disclosure of records is limited to the individual's name, adddress, Social Security number, and other information necessary to establish the individual's identity; the amount, status, and history of the claim; and the agency or program under which the claim arose. This disclosure will be made only after the procedural requirements of 31 U.S.C. 3711(f) have been followed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Legal size files in filing cabinets.

Retrievability:

Retrieved by name of the non-Government party, whether claimant, plaintiff, or alleged debtor. In some instances, these records are retrievable by cross reference to index cards, containing name of the party involved and the subject matter.

Safeguards:

Office buildings in which files are kept are locked after the close of the business day. These files are only accessible to General Counsel staff and designated claims program specialists in the Public Health Service and Social Security Administration.

Retention and disposal:

The records are maintained for an indefinite duration.

System manager(s) and address:

The agency official responsible for the system policies and practices outlined above is:

The General Counsel, Department of Health and Human Services, Office of the General Counsel, Room 722A, Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201.

Notification procedure:

Any inquiries regarding this system of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR 5b.6) Federal Register, October 8, 1975, page 47411.)

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under System Manager(s) Address above, and reasonably identify the record, specify the information to be contested, and specify the corrective action sought, with supporting justification (i.e., how it is inaccurate, irrelevant, not timely, or incomplete). (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information in this system comes from a number of sources including private individuals, private and public hospitals, doctors, law enforcement agencies and officials, private attorneys, accident reports, third parties, claimants or beneficiaries and their relatives, other Federal agencies, State and local governments, agencies and instrumentalities.

Systems exempted from certain provisions of the act:

None.

Appendix

Office of the General Counsel—Headquarters Offices, Department of Health and Human Services, Humphrey Building, Room 722A, 200 Independence Avenue, SW, Washington, D.C. 20201

Office of the General Counsel, Regional Attorney—Region I, Department of Health and Human Services, John F. Kennedy Federal Building, Government Center, Boston, Massachusetts 02203.

Office of the General Counsel, Regional Attorney—Region II, Department of Health and Human Services, Room 3914, 26 Federal Plaza, New York, New York 10007.

Office of the General Counsel, Regional Attorney—Region III, Department of Health and Human Services, P.O. Box 13716, Philadelphia, Pennsylvania 19104.

Office of the General Counsel, Regional Attorney—Region IV, Department of Health and Human Services, Suite 201, 101 Marietta Tower, Atlanta, Georgia 30323.

Office of the General Counsel, Regional Attorney—Region V, Department of Health and Human Services, 300 South Wacker Drive, 18th Floor, Chicago, Illinois 60606.

Office of the General Counsel, Regional Attorney—Region VI, Department of Health and Human Services, Room 1330, 1200 Main Tower Building, Dallas, Texas 75202.

Office of the General Counsel, Regional Attorney—Region VII, Department of Health and Human Services, Room 601, 601 East 12th Street, Kansas City, Missouri 64106.

Office of the General Counsel, Regional Attorney—Region VIII, Department of Health and Human Services, Room 11443, Federal Office Building, 19th and Stout Streets, Denver, Colorado 80294.

Office of the General Counsel, Regional Attorney—Region IX, Department of Health and Human Services, 50 Fulton Street, San Francisco, California 94102.

Office of the General Counsel, Regional Attorney—Region X, Department of Health and Human Services, MS 624 Arcade Plaza Building, 1321 Second Avenue, Seattle, Washington 98101.

Director, Division of Public Health Service Claims, Room 17A-17 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

SSA Claims Officer, Social Security Administration, 2F7 Annex Building, 6401 Security Blvd., Baltimore, Maryland 21235.

09-90-0064

System name:

Litigation Files, Administrative Complaints, and Adverse Personnel Actions. HHS/OS/OGC.

Security classification:

None.

System location:

See Appendix on the Administrative Claims System, 09-90-0062.

Categories of individuals covered by the system:

The individuals on whom records are maintained in this system are individuals who are involved in litigation with the Department or the United States (regarding matters within the jurisdiction of the Department) either as plaintiffs or as defendants in both civil and criminal matters, and individuals who either file administrative complaints with the Department or are the subjects of administrative complaints initiated by the Department, except claims which are the subjects of records maintained in the Administrative Claims System, 09-90-0062.

Categories of records in the system:

These records contain information pertaining to the subject matter of the litigation, administrative complaint, or adverse personnel action. Such records would include complaints, litigation reports, administrative transcripts, various litigation documents, investigative materials, correspondence, briefs, court orders and judgments, and in cases where personal injury is involved, principally malpractice cases, evaluations by physician specialists (Public Health Service, Armed Forces, Institute of Pathology).

Authority for maintenance of the system:

The authority for maintaining this system are the various statutes, regulations, rules or orders pertaining to the subject matter of the litigation, administrative complaint or adverse personnel action, (e.g., Public Health Service Act, Social Security Act, Civil Rights Act, Federal Food, Drug and Cosmetic Act).

Purpose(s):

To represent the Department and its components in court cases and administrative proceedings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records consist of legal size files stored in file cabinets.

Retrievability:

These records are retrievable by name of the plaintiff or the first plaintiff if there is more than one, or by the name of the first defendant if the plaintiff is the United States. In the case of adverse personnel actions, records are retrievable by name of the individual involved.

Safeguards:

Office buildings in which these records are maintained are locked after the close of the business day. These records are only accessible by General Counsel staff.

Retention and disposal:

These records are maintained for an indefinite duration.

System manager(s) and address:

The agency official responsible for the system policies and practices outlined above is:

The General Counsel, Department of Health and Human
Services, Office of the General Counsel, Hubert H. Humphrey
Building, Room 722A, 200 Independence Avenue, SW,
Washington, D.C. 20201.

Notification procedure:

Any inquiries regarding these systems of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR 5b.6) Federal Register, October 8, 1975, page 47411.).

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures:

Contact the official at the address System Manager(s) and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories:

The information for this system is obtained through a number of sources including the exchange of legal pleadings, documents, formal and informal discovery, program offices and component agencies, private attorneys, State and local governments, their agencies and instrumentalities, and officers of other Federal agencies and the individuals involved.

Systems exempted from certain provisions of the act:

None.

09-90-0065

System name:

Conflict of Interest—Standards of Conduct Records, HHS/OS/OGC

Security classification:

None.

System location:

See appendix on the Administrative Claims System, 09-90-0062.

Categories of individuals covered by the system:

Information about current and past HHS employees who are or have been the subject of conflict of interest or standards of conduct inquiries or determinations.

Categories of records in the system:

These records include information relating to acceptance or offer of gifts, entertainment and favors, outside employment; financial interests; use of government funds, property or official information; partisan political activity; or other matters relating to ethical standards of conduct.

Authority for maintenance of the system:

18 U.S.C. 202, 203, 205, 207, 208, 209; Executive Order 11222; and, 5 CFR 735.104, 45 CFR Part 73.

Purpose(s):

To maintain such information about employees or former employees of the Department who have been the subjects of standards of conduct or conflict of interest inquiries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, or foreign charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are kept in legal size files in filing cabinets.

Retrievability:

These records are retrievable by name in most cases. In some instances, these records are retrievable by cross reference to index cards containing the name of the party involved and the subject matter.

Safeguards:

These records are only accessible to General Counsel staff. Office buildings in which these records are maintained are locked after the close of the business day.

Retention and disposal:

The records are maintained for an indefinite duration.

System manager(s) and address:

The agency official responsible for the systems policies and practices outlined above is:

The General Counsel, Department of Health and Human
Services, Office of the General Counsel, Humphrey Building,
Room 722A, 200 Independence Ave., SW, Washington, D.C.
20201.

Notification procedure:

Any inquiries regarding these system of records should be addressed to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the System Manager(s) and Address procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information contained in this system comes from the individuals involved and from appropriate Department officials.

Systems exempted from certain provisions of the act:

None.

09-90-0066

System name:

OGC-Attorney Applicant Files, HHS/OS/OGC.

Security classification:

None.

System location:

See Appendix on the Administrative Claims System. 09-90-0062

Categories of individuals covered by the system:

Current Attorney Applicants for positions in the Office of the General Counsel.

Categories of records in the system:

The Attorney Applicant system consists of a variety of records relating to persons applying for attorney positions. These records contain information about an individual's birth date; home address; telephone number; social security number; educational background (e.g., law schools attended and grades); past work experience; writing samples furnished on request; recommendations from past employers and academic officials.

Authority for maintenance of the system:

5 U.S.C. 3301 et seq.

Purpose(s):

To maintain current information concerning individuals interested in employment with the Office of General Counsel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, alphabetized by name, and in some cases the records are separated by individual law school affiliation and by the date the application is received. In some instances records are located in lockable conserva-file cabinets and in a locked secured room with access limited to those officials whose duties require access. In other instances records are maintained in file rooms or with other Office of the General Counsel files.

Retrievability:

These records are retrievable by name.

Safeguards:

Access is limited to those HHS officials whose duties require access.

Retention and disposal:

These records are retained in a current system for one year, and in some instances two years, after which time they are discarded.

System manager(s) and address:

The agency official responsible for the systems policies and practices outlined above is:

The General Counsel, Department of Health and Human
Services, Office of the General Counsel, Humphrey Building,
Room 722A, 200 Independence Avenue, SW, Washington,
D.C. 20201.

Notification procedure:

Any inquiries regarding these systems of records should be addressed to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures:

Contact the official at the address specified under System Manager(s) and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411).

Record source categories:

Information in this system of records comes from the individual to whom it applies law school officials and past employers.

Systems exempted from certain provisions of the act:

None.

09-90-0067

System name:

Invention reports submitted to the Department of Health and Human Services by its employees, grantees, fellowship recipients, and contractors, HHS/OS/OGC.

Security classification:

None.

System location:

Office of the General Counsel, Patent Branch, Westwood Building—Room 5A03, 5333 Westbard Avenue, Bethesda, Maryland 20016.

Categories of individuals covered by the system:

Department employees, investigators funded under HHS research grants, fellowship awardees, investigators funded under HHS research contracts.

Categories of records in the system:

Invention reports.

Authority for maintenance of the system:

45 CFR Parts 6, 7, and 8, E.O. 9865, E.O. 10096.

Purpose(s):

To maintain the information and patent records for the entire Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Justice Claims Section for purpose of defending the Government in litigation.

Scientific personnel, both in this agency, and other Government agencies, and in non-Governmental organizations such as Universities, who possess the expertise to understand the invention and evaluate its importance as a scientific advance.

Contract patent counsel and their employees and foreign contract personnel retained by the Department for patent searching and prosecution in both the United States and foreign Patent Offices.

All other Government agencies whom we contact regarding possible use, interest in, or ownership rights in our inventions.

Prospective licensees or technology finders who may further make the invention available to the public through sale, use or publication.

Parties, such as supervisors of inventors, whom we contact to determine ownership rights, and those parties contacting us to determine the Government's ownership.

The United States and foreign Patent Offices for our filing of patent applications. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, if likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are kept in individual file folders.

Retrievability:

Indexed by both inventor's name and case identification number.

Safeguards:

During normal business hours a member of the staff of the Patent Section regulates the availability of the files. During evening and weekend hours, the building is closed, with a guard at the front entrance, and only personnel authorized to be in the building are permitted entry.

Retention and disposal:

The records are maintained here for the life of any patent issued (seventeen years), for seven years for any invention which is not patented, and they are sent to the Federal Records Center for retention when they are no longer required here.

System manager(s) and address:

Patent Counsel, Department of Health and Human Services,
Westwood Building—Room 5A03, 5333 Westbard Avenue,
Bethesda, Maryland 20016.

Notification procedure:

An individual is required to provide his own name together with that of any other individual who contributed to the making of an invention, on which the system contains a record. Any inquiries regarding these systems of records should be addressed to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under System Manager(s) and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information comes from the inventors, their supervisors, other scientists with expertise in the particular area of the invention, scientific publications, newspapers, contract patent counsel who have searched and/or prosecuted the invention, and commercial organizations.

Systems exempted from certain provisions of the act:

None.

09–90–0068

System name:

Federal Private Relief Legislation, HHS/OS/OGC.

Security classification:

None.

System location:

This system is located in the:
Division of Legislation,
Office of the General Counsel,
Office of the Secretary,
Room 427 D, Humphrey Building,
Department of Health and Human
Services,
200 Independence Ave., SW,
Washington, D.C. 20201.

Categories of individuals covered by the system:

Private individuals, groups, or institutions for whom a United States Congressman or Senator has introduced a private relief bill.

Categories of records in the system:

Background which gives rise to the individual's, group's or institution's claim for private relief legislation.

Authority for maintenance of the system:

5 U.S.C. 301; OMB Circular A–19.

Purpose(s):

To respond to Congressional requests for information regarding private relief legislation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information is used to prepare reports to the Congress, most commonly to the Judiciary Committees of the Senate and the House of Representatives, which reports are thereafter made available to the public under the provisions of 5 U.S.C. 552. In connection with the preparation of those reports, the information contained in this system of records will, as a routine use be disclosed to officers and employees of the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A–19 at various stages of the legislative coordination and clearance process as set forth in that Circular, and may, as a routine use, be disclosed to officers or employees of agencies (as defined in 5 U.S.C. 551(i) and 552(e) other than the agency that maintains the record. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders kept in legal size filing cabinets.

Retrievability:

By bill number using card systems maintained by name and by subject.

Safeguards:

Immediate access to these records are only by authorized staff. Building is locked at close of business.

Retention and disposal:

Retained indefinitely either at System Location or at Federal Record Center where files are sent on a regular predetermined schedule.

System manager(s) and address:

Chief, Legislative Reference and Control Service,
Division of Legislation,
Office of the General Counsel,
Department of Health and Human Services,
Room 427 D, Humphrey Building, 200 Independence Avenue, SW, Washington, D.C. 20201.

Notification procedure:

Any inquiries regarding the records in question should be made to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the offical at the address specified under System Managers and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information in this system comes from the Operating Divisions of the Department, the Public Health Service Agencies, the Office of the Secretary, Congressional Committees, individual Congressmen and Senators, and, in some cases, the subject individual, group, or institution.

Systems exempted from certain provisions of the act:

None.

09-90-0069

System name:

Unfair Labor Practice Records, HHS/OS/ASPER.

Security classification:

None.

System location:

Personnel Offices of the Department shown in Applicants for Employment Records, HHS System 09-90-0006, Appendix 1 and offices of operating officials in organizational units serviced by those Personnel Offices.

Categories of individuals covered by the system:

Current HHS employees and union officials.

Categories of records in the system:

This system of records consists of a variety of records relating to an unfair labor practice charge. Examples of information which may be included in this system are the employee's name, Social Security Number, grade, job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by Title 5, United States Code, Chapter 71 and Department of Labor Regulations.

Authority for maintenance of the system:

Executive Order 11491, as amended, 5 U.S.C. Chapter 71.

Purpose(s):

These records are used to initiate, make a determination on, and document a decision made on unfair labor practice charges filed by an employee or unionofficial. These records are maintained in each component of the Department. See also "Retrievability" below.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system may be released to:

1. Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions;

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosures is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are retrievable by name. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards:

Records are stored in lockable metal file cabinets. Access to and use of these records are limited to personnel who have a need for the records in performance of official duties.

Retention and disposal:

The case files are maintained as long as they may be pertinent for purposes of precedent or as management information devices. When no longer useful for such purposes, they are destroyed.

System manager(s) and address:

Personnel Officer shown in Appendix 1 of Applicants for Employment Records, HHS System 09-90-0006, who services the organizational unit in which the individual is employed.

Notification procedure:

Contact the systems manager and provide name, approximate date of record, the unfair labor practice charge as specified by the complainant, and management component in which the charge was filed.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and state the corrective action sought and the reasons for the correction. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Information in this system of records is:
1. Supplied directly by the individual, or
2. Derived from information supplied by the individual, or
3. Supplied by testimony of witnesses, or
4. Supplied by union officials, or
5. Supplied by Department officials.

Systems exempted from certain provisions of the act:

None.

09-90-0071

System name:

Social Security Code Cards, HHS/OS/OGC.

Security classification:

None.

System location:

Office of the Regional Attorney, Department of Health and
Human Services, 19th and Stout Streets, Denver, Colorado
80294.

Categories of individuals covered by the system:

Individuals referred to in this system are Social Security claimants or wage-earners who have been the subject of Social Security Precedent opinions.

Categories of records in the system:

The information in this system consists of the name of the individual on a 3x5 card and a code which cross references to the location of the actual opinion. These cards are separate and distinct from the digest cards which are distributed nationally by the Office of the General Counsel.

Authority for maintenance of the system:

44 U.S.C. 3101.

Purpose(s):

To enable a researcher to obtain the appropriate Social Security precedent opinion which may be cited in subsequent opinions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The subject information is kept on 3x5 cards which are kept in an office locked after the close of the business day. The opinions which are cross-referenced by the cards are kept in the files in the same office.

Retrievability:

Retrievable by name. These cards are used to enable the researcher to obtain the appropriate Social Security precedent opinion which may then be cited in subsequent opinions distributed within OGC and SSA.

Safeguards:

Office locked at the close of the business day.

Retention and disposal:

Retained indefinitely either at system location or at Federal Records Center where files are sent on a regular predetermined schedule.

System manager(s) and address:

The agency official responsible for the system policies and practices outlined above is:

Regional Attorney, Department of HHS, 19th and Stout Streets,
Denver, Colorado 80294.

Notification procedure:

Any inquiries regarding the records in question should be made at the above address where the records are kept. Required identifying information will be in keeping with Departmental requirements.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under System Managers and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The information on the cards is gleaned from precedent opinions nationwide as well as those issued from Region VIII.

09–90–0072

System name:

Congressional Grants Notification Unit. HHS/OS/ASL

Security classification:

None.

System location:

Room 417, H Humphrey Building, 200 Independence Avenue,
SW, Washington, D.C. 20201

Categories of individuals covered by the system:

Members of Congress.

Categories of records in the system:

Notification form of grants or contract awards made by HHS. The form contains the name and address of the project director, the purpose of the grant or contract, and the HHS program involved.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

To provide timely notification to members of Congress of HHS grants and contract awards being made in their Districts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity, (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components, or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files are maintained in standard file cabinets.

Retrievability:

Files are indexed by States Congressional Districts with the name of the Congressional Representative of that District on the file. Records are retrieved by name. The staff uses this system for the following purposes: (1) To answer questions in the short term about amounts of HHS grant funds going into areas of the country according to congressional districts. (2) To verify that actual notification to members offices of awards has been made.

Safeguards:

These records are public information and available on request.

Retention and disposal:

Grant notification files are discarded after two calendar years.

System manager(s) and address:

Director, Congressional Liaison, Office of the Assistant
Secretary for Legislation, Room 417H, HHH Bldg., 200
Independence Avenue, SW, Washington, D.C. 20201.

Notification procedure:

Same as above. The Congressional District or name of the Congressional Representative of that district and the approximate date of the award must be provided.

Record access procedures:

Address same as above.

Contesting record procedures:

Address same as above.

Record source categories:

Agencies within the Department making the grant/contract awards.

Systems exempted from certain provisions of the act:

None.

09-90-0074

System name:

Federal Parent Locator Service and Federal Tax Offset System, HHS/OCSE.

Security classification:

None.

System location:

Office of the Child Support Enforcement, Department of Health
and Human Services, 370 L'Enfant Promenade SW,
Washington, DC 20447 (202) 252-5411.

Categories of individuals covered by the system:

Records are maintained on parents being sought for the purpose of establishing or enforcing support obligations against such a parent, through the courts through the Federal Income Tax offset process, or for locating a parent or child in cases of parental kidnapping or child custody determinations.

Categories of records in the system:

Name of Absent Parent or Child, Social Security Number (when available). Date of Birth, Place of Birth, Mother's maiden name, Father's full name, State case identification number, local identification number (State use only), State or locality originating request, date of origination, type of case (AFDC, non-AFDC full service, non-AFDC locate only, parental kidnapping), type of military service (Army, Navy, Marines, Air Force, Coast Guard, not in service, retired military (yes or no), Federal employee (yes or no), recent employer's address, known alias (last name only), average amount, offset amount, date requests sent to Federal departments (SAA, IRS, DOD, NPRC, VA, RRB), date of Federal departments' responses, and indication of the type of information received; such as last home or employer address was returned, and/or a Social Security Number was returned. The actual information returned pursuant to a request is retained in a separate file long enough to communicate that information to the State. (See Retention and Disposal section below).

Authority for maintenance of the system:

Pub. L. 93-647.
Pub. L. 96-611.
Pub. L. 97-35.

Purpose(s):

Sections 453 and 454 of the Social Security Act require the Secretary to establish and conduct a Parent Locator Service to obtain information as to the whereabouts of any absent parent when such information is to be used for establishing or enforcing support obligations against such absent parent, establishing or enforcing child custody determinations, or in cases of parental kidnapping.

The Omnibus Reconciliation Act authorized the Internal Revenue Service to collect past due child support obligations by offsetting Federal tax refunds due to the delinquent absent parent.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The Federal Parent Locator Service will use and disclose information from the records maintained in this system to:

(1) Request the most recent home and employment addresses and Social Security Numbers of absent parents from any State or Federal government department, agency or instrumentality which might have such information in its records;

(2) Provide the most recent home and employment addresses and Social Security Numbers to State agencies under agreements covered by title IV-D of the Social Security Act for the purpose of locating absent parents in connection with establishing or enforcing child support obligations.

(3) Provide the most recent home and employment addresses and Social Security Numbers to State agencies under agreements covered by Section 463 of the Social Security Act (42 U.S.C. 663) for the purpose of locating absent parents or children in connection with activities by State courts and Federal attorneys and agents charged with making or enforcing child custody determinations or conducting investigations, enforcement proceedings or prosecutions concerning the unlawful taking or restraint of children;

(4) Provide the most recent home and employment addresses and Social Security Numbers to agents and attorneys of the United States, involved in activities in States which do not have agreements under Section 463 of the Social Security Act (42 U.S.C. 663) for purposes of locating absent parents or children in connection with Federal investigations, enforcement proceedings or prosecutions involving the unlawful taking or restraint of children.

(5) Provide the amount withheld from an individuals tax refund together with the taxpayers' current address to State agencies under agreements covered by Title IV-D of the Social Security Act for the purpose of enforcing child support obligations.

In cases involving International Child Support cases, the FPLS will route the name and SSN of the absent parent to the U.S. Department of State. The State Department will review the cases to identify politically sensitive requests.

Information on any case identified as "sensitive" by the State Department will not be released.

THE U. S. DEPARTMENT OF STATE IS DESIGNATED AS THE CENTRAL AUTHORITY: According to Pub. L. 100-300, Section 7(d), "The President shall designated a Federal agency ***which may obtain information from the Parent Locvator Service." Executive Order 12648 of August 11, 1988 states, "The Department of State is hereby designated as the Central Authority of the United States for the purposes of Hague Convention on the Civil Aspects of International Child Abduction."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

PLS records are maintained on disk and magnetic tape, and hard copy. The record is defined as a request for address information.

Retrievability:

System records can be accessed by either a State assigned case identification number or Social Security Number.

Safeguards:

All requests from the State IV-D Agency must certify that (1) they are being made to locate an absent parent for the purpose of establishing paternity or securing child support, or in cases involving parental kidnapping or child custody determinations and for no other purpose; (2) the State IV-D agency has in effect protective measures to safeguard the personal information being transferred and received from the Federal Parent Locator Service; and (3) the State IV-D Agency will use or disclose this information for the purposes prescribed in 45 CFR 302.70. All Federal, State personnel and contractors, are required to take a nondisclosure oath. All input documents will be inventoried and accounted for. All inputs and outputs will be stored in a locked receptacle in a locked room. All outputs will be labeled "For Official Use Only" and treated accordingly. Operations control will be vested under a single system manager. Every State using the system will be verified via three levels of user ID's. All data files will be protected by unique passwords and security codes. Remote users have "read only" system access capabilities and cannot read any other function on the system. The system complies with the HHS, ADP Systems Manual Part 6, "ADP Systems Security".

Retention and disposal:

Records of address information provided in response to requests are maintained only long enough to communicate the information to the State or the Federal agent or attorney requesting it. After this time they are destroyed.

A record of the request only which includes information provided by the State, Federal agencies contacted, and an indication of the type of information so returned is stored on a history tape and hard copy. All history data will be retained for five years.

System manager(s) and address:

Director, Program Operations Division, Office of Child Support
Enforcement, Department of Health and Human Services, 370
L'Enfant Promenade 4th Floor, Washington, DC 20447.

Notification procedure:

Contact the system manager in writing at the above address and provide your name and address. Additional information, such as your Social Security Number, date of birth or mother's maiden name, may be requested by the system manager in order to distinguish between individuals having the same or similar names.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under system manager above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification.

Record source categories:

Information is obtained from departments, agencies, or instrumentalities of the United States or any State.

Systems exempted from certain provisions of the act:

None.

09-90-0075

System name:

MBTA Prepaid Pass Program Participants, HHS/RO1/ARD.

Security classification:

None.

System location:

HHS Office of Director for Administrative Support Center,
Room 2411, JFK Federal Building,
Boston, Massachusetts 02203.

Categories of individuals covered by the system:

Any HHS employee who is participating in the MBTA Pass Program.

Categories of records in the system:

Name, Department, SSN, Credit Union Account Number, Type of Plan, and signature of Employee.

Authority for maintenance of the system:

Executive Order 011491.

Purpose(s):

To promote employee participation in the President's Energy Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual; and

(b) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

3 x 5 cards in file box.

Retrievability:

By name.

Safeguards:

Office doors locked during nonworking hours.

Retention and disposal:

Kept as long as employee is a participant in the Program. Cancellation cards are kept for six months after month cancelled; then destroyed.

System manager(s) and address:

Secretary to Director for Administrative Support Center HHS,
Room 2411, JFK Federal Building, Boston, Massachusetts 02203.

Notification procedure:

Address: Same as above. Identifying Information: Name, Social Security Number (on a purely voluntary basis).

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

Supplied by employee.

Systems exempted from certain provisions of the act:

None.

09-90-0078

System name:

SSI/OPM Temporary Matching File, HHS/OS/OIG

Security classification:

None

System location:

Office of the Inspector General HHS, Room 2111, SSA Annex,
Baltimore, Md. 21235.

Categories of individuals covered by the system:

All Federal employees covered under Office of Personnel Management Central Personnel Data File (CPDR) who are also included in the Supplementary Security Income (SSI) file of the Social Security Administration.

Categories of records in the system:

Office of Personnel Management Central Personnel Data File extract including name of employee, date of birth, Social Security Number, work status, pay grade and duty station, and Supplementary Security Income Record File data including names, Social Security Number, address, SSI application data, disability data, income and resource data and payment data used in the administration of the SSI program.

Authority for maintenance of the system:

Pub. L. 94-505

Purpose(s):

This system of records is maintained to facilitate the comparison of records to identify those Federal employees who may also be receiving SSI benefits concurrently. This is in accordance with the statutory requirement in Pub. L. 94-505 that the Inspector General prevent and detect fraud and abuse in the Department's programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant, records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

A record from this system may be disclosed as a "routine use" to a Federal, State or local agency maintaining pertinent records if necessary to obtain a record relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on computer tape files and computer printed listings.

Retrievability:

The records are retrieved by computer using Social Security Number as the principal matching criterion. We disclose the records within the Department to the Social Security Administration for investigation and redetermination of SSI benefits.

Safeguards:

Direct access is restricted to authorized staff members of the Office of the Inspector General. Access within HHS is limited to those employees who are directly involved in the matching program on a need-to-know basis. Computer files and printed listing are maintained in security type safes or lock bar file cabinets. They are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HHS Information Processing Standards, HHS ADP System Manual Part 6, "ADP Systems Security." All computer tapes are password protected prohibiting unauthorized access.

Retention and disposal:

In instances of computer matching of files, only those records which meet predetermined criteria are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes will be returned within 60 days. All records obtained as a result of the matching program will be degaussed as soon as possible within 6 months except for those records which are necessary to the completion of pending law enforcement activities or administrative activities of the matching program. Paper listings will be either shredded or burned.

System manager(s) and address:

Inspector General/Deputy Inspector General, Room 5262,
North Building, U.S. Department of Health and Human
Services, 330 Independence Avenue SW, Washington, D.C.
20201.

Notification procedure:

Contact: Privacy Act Officer, Office of the Inspector General, Department of Health and Human Services, Room 5267, North Building, 330 Independence Avenue SW, Washington, D.C. 20201.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification.

Record source categories:

Records are furnished from the Central Personnel Data File (CPDF) maintained by the U.S. Office of Personnel Management and from the Supplemental Security Income Record (SSR) maintained by the Social Security Administration, Department of Health and Human Services.

Systems exempted from certain provisions of the act:

None.

09–90–0079

System name:

Welfare Fraud Detection File, HHS/OS/OIG.

Security classification:

None.

System location:

At headquarters and regional offices of the OIG Audit Agency, Department of Health and Human Services. See Appendix.

Categories of individuals covered by the system:

Recipients of the Aid to Families with Dependent Children (AFDC) Program.

Categories of records in the system:

The system consists of the AFDC recipient records maintained by the State Welfare Agencies. Records contain information on those individuals receiving AFDC payments for themselves or as a payee for dependent children under their guardianship. Records contain information on name, address, date of birth, social security number, sex, names of dependent children, their dates of birth and sex, and monthly grant amount.

Authority for maintenance of the system:

Pub. L. 94–505, October 15, 1976.

Purpose(s):

This system of records is maintained to facilitate the development of a multiple fraud detection program for the Aid to Families with Dependent Children (AFDC) Program. The program has as its major function the identification of cases which through misrepresentation are on the welfare rolls illegally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The record from this system may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records if necessary to obtain a record relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

When the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system, relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on computer tape files and computer printed listings.

Retrievability:

The records in this system are retrieved by computer and manually using name or social security number.

Safeguards:

Access to and use of these records is restricted to those personnel having a legitimate need for the information including HHS Office of the Inspector General personnel and other relevant Departmental and State personnel. Access will be provided outside of the Office of the Inspector General only in those instances where additional information is needed from another agency (e.g., the Social Security Administration or the State Welfare Agency) or where referrals for investigation are warranted. All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HHS Information Processing Standards, HHS ADP Systems Manual, Part 6, "ADP Systems Security." All computer tapes are password protected prohibiting unauthorized access. Once the program is completed, all computer tapes will be returned to their source, erased or degaussed, and printed listings destroyed.

Retention and disposal:

Records will be updated periodically and source computer tapes will be either returned to the States or destroyed. All computer work tapes will be erased or degaussed, and printed listings destroyed.

System manager(s) and address:

Inspector General/Deputy Inspector General, Room 5262,
North Building, U.S. Department of Health and Human
Services, 330 Independence Avenue, SW, Washington, D.C.
20201.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should address their inquiries providing their name and social security number to: Privacy Act Officer, Office of Inspector General, Department of Health and Human Services, Room 5267, North Building, 330 Independence Avenue, SW, Washington, D.C. 20201.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedure above, and reasonably indentify the record and specify the information to be contested and corrective action sought with supporting justification.

Record source categories:

State Welfare Agencies which maintain files of AFDC program recipients.

Systems exempted from certain provisions of the act:

None.

Appendix

OIG Audit Agency, Room 5769, North Building, U.S.
Department of Health, Education, and Welfare, 330
Independence Avenue, SW, Washington, D.C. 20201.

Region I:
OIG Audit Agency, Bulfinch Building, 15 New Chardon Street,
Boston, Massachusetts 02114.

Region II:
OIG Audit Agency, Federal Building, 26 Federal Plaza, New
York, New York 10007.

Region III:
OIG Audit Agency, 3535 Market Street, Gateway Building,
Room 6100, Philadelphia, Pennsylvania 19101.

Region IV:
OIG Audit Agency, 101 Marietta Tower, Suite 1402, Atlanta,
Georgia 30323.

Region V:
OIG Audit Agency, 300 South Wacker Drive, Chicago, Illinois
60606.

Region VI:
OIG Audit Agency, 1100 Commerce Street, Room 4-E10,
Dallas, Texas 75242.

Region VII:
OIG Audit Agency, 601 East 12th Street, Kansas City, Missouri
64106.

Region VIII:
OIG Audit Agency, 1185 Federal Building, 1981 Stout Street,
Denver, Colorado 80294.

Region IX:
OIG Audit Agency, Federal Office Building, Room 171, 50
United Nations Plaza, San Francisco, California 94102.

Region X:
OIG Audit Agency, Arcade Plaza Building, Room 6087, 1321
Second Avenue, Seattle, Washington 98101.

09-90-0080

System name:

The Secretary's Advisory Committee Candidate Files HHS/OS/ES.

Security classification:

None.

System location:

Department of Health and Human Services, Immediate Office of the Secretary, Special Assistant to the Secretary for Advisory Committees, Room 602E, Humphrey Building, 200 Independence Avenue SW, Washington, D.C. 20201.

Computer site and location: ADP Network Services, Inc., 40 2nd Avenue, Waltham, Mass. 02154.

Categories of individuals covered by the system:

Individuals who are being considered for membership on advisory committees within the jurisdiction of the Department of Health and Human Services.

Categories of records in the system:

Information maintained on individuals recommended as members of Advisory Committees subject to this notice consists of one or more of the following: Name, title, sex, physically disabled indicator, place and date of birth, home address, business address, organizational affiliation, ethnic background, resume, curriculum vitae, dates of term(s) on advisory committee, current status on advisory committee, reason for leaving advisory committee, previous or current membership on other advisory committees, special qualifications of the individual for the advisory committee membership, source who recommended the individual for membership on advisory committee and miscellaneous correspondence. Additionally, letters of recommendation are included in the file.

Authority for maintenance of the system:

5 U.S.C. 3301.

Purpose(s):

To provide the Secretary with the capability to search a file of candidate resumes for positions on HHS advisory committees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law. Whether civil, criminal or regulatory in nature, and whether arising by general statute of particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

b. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

c. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

d. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in hard-copy stored in file cabinets, on index cards, on magnetic tape, or in computer storage.

Retrievability:

For the most part records are maintained in an alphabetical index by name of the individual. Certain files are based on other factors, e.g., Advisory Committee name, with a cross index based on an alphabetical listing of individuals. Certain other records are retrievable by individually identifiable computer identification codes, last name, first name, sex, handicapped indicator, professional expertise and ethnic background. All fields within the individual computer record can be accessed by the computer system language, and are available for administrative purposes via on-line, interactive terminals either in hard-copy or electronic visual display devices for reports. Records of candidates for Advisory Committees will be created and maintained on the data base which is accessible by on-line, interactive computer technology. Uses include special administrative reports, quarterly alphabetical listings of past, present, and recommended members of Advisory Committees, computer lists of vacancies, acceptances, separations, active members, statistical reports by sex, youth, geographical location, etc.; documentation of nominations; and other administrative needs.

Safeguards:

Direct access to records is restricted to authorized personnel through locked files, rooms, and buildings as well as building pass and security guard-sign-in systems. Certain facilities are also protected by closed circuit television systems. Computer systems are secured through locked magnetic tape libraries as well as lockword-password computer access systems.

Retention and disposal:

Retention is variable from one year to permanent retention depending upon the type of record, e.g., names of former members of advisory committees are retained permanently. Records are disposed of as trash by the system manager or Office of Security depending on the confidentiality of the information contained on the record.

System manager(s) and address:

Special Assistant to the Secretary for Advisory Committee,
Room 602E, Humphrey Building, 200 Independence Avenue,
SW, Washingtion, D.C. 20201.

Notification procedure:

Write to the Systems Manager at the above address.

Verification of identification of individuals inquiring as to information contained in this system of records will be required by the submission of full last name, first name, and address of residence.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with the Department Regulations (45 CFR 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

The vast majority of information contained in records on individuals is obtained directly from the individual.Other information in the form of references and recommendations is obtained from other private individuals, program personnel, biographical reference books, private organizations, former employers, regional offices of HHS, Members of Congress, and other government sources.

Systems exempted from certain provisions of the act:

None.

09–90–0088

System name:

National Long-Term Care Channeling Demonstration (NLTCCD), DHHS/OS/ASPE.

Security classification:

None.

System location:

Mathematica Policy Research, Inc. (MPR), P.O. Box 2393,
Princeton, New Jersey 03540. Channeling Agencies (See
Appendix 2).

Categories of individuals covered by the system:

The system will include records on a sample of approximately 14,000 individuals in ten states who have signed an informed consent form and are participating in the National Long-Term Care Channeling Demonstration and approximately 47,450 individuals who apply to receive channeling services but are found inappropriate for the intervention.

Categories of records in the system:

"Channeling" is a brokerage process through which elderly and multiply-impaired individuals are referred to receive needed services from two or more agencies. The ten channeling agencies (hereafter referred to as agency) will collect names, addresses, and interview information on functional disability and service needs of potential participants, and assign an identification number to each individual. For those individuals who are not appropriate for channeling, personal identifying information will be maintained at the agency. Interview data and a sequential identifier will be forwarded to the evaluation contractor. Appropriate channeling clients will be randomly assigned to treatment or control groups. All information concerning control group members will be forwarded to the evaluation contractor. All data collected by the agency on treatment group members will be maintained at the agency. Screening and non-clinical baseline interview data on treatment group members also will be forwarded with personal identifiers and field identifying numbers to the evaluation contractor. The evaluation contractor will augment the information provided by the agency with data collected from interviews, and from health and social service records.

Independently, the agency will develop hard-copy case records on treatment group members which contain detailed individual identifying data, clinical and other information required to develop care plans and coordinate services, and details of services ordered and utilized. The case records will be maintained up to seven years after an individual dies, withdraws voluntarily from the program, moves out of the area, ceases to be appropriate for channeling services, or is terminated because the project ends. A client tracking system which will include information on client identity and status, will be implemented at all sites. Information from this system will be shared with the evaluation contractor. A further system of records will be maintained at those sites deemed to follow the "complex channeling" model. At these sites, a financial tracking system, some parts of which identify clients either by name or other identifying information, will be implemented to monitor costs of services and to track service authorization and service use.

The evaluation contractor will collect and maintain data describing both individuals and facilities providing long-term care services. Data relating to individuals will include information collected by interview from the individual or his/her proxy and from families or informal care-givers, demographic and economic characteristics, health and functional status, service utilization, and out-of-pocket costs. In addition, utilization and cost data will be collected from Medicare and Medicaid claims and billing records and provider billings records. Individual identifiers will be names, addresses, and health insurance claim numbers for Medicare and Medicaid beneficiaries, as well as identifying numbers supplied by the evaluation contractor.

The use and maintenance of identifying numbers is discussed below in the section on retrievability.

Authority for maintenance of the system:

Section 421 of the Older Americans Act, sections 1110, 1115, 1875, and 1881 of the Social Security Act, and sections 1528 and 1533(d) of the Public Health Service Act.

Purpose(s):

In 1980, the Department of Health and Human Services (HHS) initiated into National Long-Term Care Channeling Demonstration to develop and test methods to maximize the efficient use of existing long-term care resources. The Office of the Secretary (Assistant Secretary for Planning and Evaluation), the Administration on Aging, and the Health Care Financing Administration jointly manage this demonstration.

This demonstration was developed in response to serious concern at all levels of government about the rapid increase in nursing home costs, fragmentation of the existing service system, and federal financial incentives for nursing home placement for elders.

This national demonstration and evaluation have been established to test a community care approach to long-term care called "channeling." Channeling provides a central intake point in the community for older persons; a systematic assessment of the individual's needs, and continuing case management to develop, implement, and monitor a plan of care tailored to the individual's changing needs. (The channeling objectives can be found in Appendix 1.)

The channeling concept will be implemented by a community agency in ten states participating in the demonstration. (See Appendix 2.) Two models of channeling will be tested; one which relies on services already existing in the community, and one with additional service resources and a fixed budget approach.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

There will be two routine uses of information in the system. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In addition disclosure will be made to a contractor of AOA, HCFA or ASPE involved in the NLTCCD, for the performance of research and statistical activities in order to accomplish the purposes for which the records are collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and disk, paper and card records.

Retrievability:

The channeling agencies will assign evaluation contractor-supplied field identifying numbers to each applicant's record. This field identifying number is used for data collection purposes only, data is readily linked by staff with a need-to-know to personal identifiers.

According to the path the individual follows, i.e., becoming a member of the research sample or not, and becoming a member of the treatment or the control group, separation of personal identifiers and descriptions of the individual will take place at different points. For applicants deemed inappropriate at the channeling agency, the record is retrievable only at the channeling agency, where records of these individuals and the agency to which they were referred will be maintained, but detailed information about the applicant will not be kept. For participants in the research sample, the record must remain retrievable for the duration of the research namely for the 18-month period of follow-up after application to channeling during which period individuals are re-interviewed, and for a subsequent period during which additional information is collected and merged with interview data. For treatment group members who are on the caseload of the channeling agency, the records must remain retrievable as long as the individual remains a client and for a period of up to seven years after that. At the research contractor, the data-collection (field) identifying number and any personal identifiers are removed from research files and replaced by a research-file identifying number. Thus, for data collection and validation purposes the "field" identifying number is used, and for file development and maintenance, the research-file identifying number is used. A master "link" file will be maintained which associates the two series of identifying numbers. Access to this file will be restricted to evaluation contractor staff who need to use the file to fulfill their professional duties.

Safeguards:

Channeling Agencies: Records will be kept in limited access areas. Records may only be accessed by agency personnel who need to know the contents of the records.

Mathematica Policy Research, Inc.: The evaluation contractor conforms to the DHHS ADP Systems Manual, "Part of ADP System Security." A system of separate identifiers is used to maximize security of records. Contact sheets with personal identifiers from interviews and abstracting forms are stored separately from non-individually identifiable data. Magnetic tape files and hard copy files with personal identifiers, and link files, are stored in locked cabinets or limited access areas. Research files are stripped of personal and field identifiers and are encoded with a distinct research identifier. Access to the linkages between identifiers is limited, and subject to the approval of the Project Director at Mathematica Policy Research, Inc.

MPR will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosurer of information on individuals.

Retention and disposal:

As explained above, different types of data will be maintained and different retention periods will apply according to whether the applicant is found inappropriate or appropriate, and, if appropriate, whether a treatment or control group member. Treatment and control group members' identifying information will be maintained by MPR through completion of fielding operations in the demonstration, and for a period of three years to allow for future follow-up. The channeling agencies will maintain clinical records on treatment group members for up to seven years after a client is terminated from the program, and limited personal information for individuals found inappropriate for channeling.

Data disposal will consist of shredding the hard copy (and so certifying) and degaussing computer records. There are no plans to dispose of non-identifiable indivdual data.

System manager(s) and address:

Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, 200 Independence Avenue SW., Washington, D.C. 20201.

Notification procedure:

Project Officer National Long-Term Care Channeling Demonstration Evaluation, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, Room 433F.1, H.H. Humphrey Building, 200 Independence Avenue SW., Washington, D.C. 20201, (202) 245-1794. An Individual requesting notice as to whether the system of records contains information pertaining to him/her, should write to the government Project Officer, at the above address, indicating his/her full name, current address and any other addresses since January, 1982. The individual may simultaneously request record access as described below.

Record access procedures:

Individuals who, through the notification procedures set out above, have established that the system of records contains information pertaining to them, may request access to those portions of the records pertaining to them by writing the government Project Officer at the address given above. The government Project Officer will notify the individual as to the place and time for access to the record(s) or if the individual wishes, arrange for mailing the records.

Contesting record procedures:

Contact the Government Project Officer at the address given above, reasonably identify the record, specify the information being contested, and supply the substitute information and corrective action sought with supporting justification.

Record source categories:

Individual specific information will be gathered through interviews with the clients and their families, from providers and from the Medicare and Medicaid claims systems. Information that pertains to the providers will be collected from demonstration files, and executive interviews with health and social services provider personnel.

Systems exempted from certain provisions of the act:

None.

Appendix 1

The objectives of the channeling program are:

1. To marshall and direct long-term care resources in a community in ways that contain overall costs;
2. To increase access to a wider range of services than is currently available;
3. To match services used to the identified needs of clients;
4. To concentrate resources on those persons with the greatest need for long-term care;
5. To stimulate the development of needed in-home and community services which do not exist or are in short supply;
6. To reduce the unnecessary use of publicly-subsidized long-term care services, including costly medical and institutional services;
7. To promote efficiency and quality in community long-term care delivery systems;
8. To promote a reasonable division of labor between informal support systems (including families, neighbors, friends, privately-financed services and publicly-financed care; and
9. To maintain or enhance client outcomes, including physical and mental functioning and quality of life.

Appendix 2—Channeling Site Addresses

Florida: Barbara Brodbar, Channeling Director, Miami Jewish Home and Hospital for the Aged, 151 Northeast 52nd Street, Miami, Florida 33137

Kentucky: Shannon Bailey, Site Director, 742 High Street, Hazard, Kentucky 41701

Maine: Joyce Nye, Site Director, Southern Maine Senior Citizens, Inc., P.O. Box 4507, Portland, Maine 04101

Maryland: Betty Gordon, Channeling Project Director, C.A.R.E./Area Agency on Aging, 1114 Cathedral Street, Baltimore, Maryland 21201

Massachusetts: Marilyn Alex, Greater Lynn Senior Services, Inc., 25 Exchange Street, Lynn, Massachusetts 01903

New Jersey: George Legonsa, Site Director, County of Middlesex, Department of Human Services, 83 Bayard Street, P.O. Box 373, New Brunswick, New Jersey 00000

New York: Cynthia Pinazzo, Channeling Director, Rensalear County, Department for the Aging, 1700 Seventh Avenue, Troy, New York 12160

Ohio: Elaine Woloshyn, Channeling Site Director, Western Reserve AAA, Room 512, Marion Building, 1278 West Third Street, Cleveland, Ohio 44113

Pennsylvania: David Eisenberg, Philadelphia Corp. for Aging,
1317 Filbert Street, Philadelphia, Pennsylvania 19107
Texas: Nancy Wilson, Channeling Project Director, TRIMS
Gerontology Center, 1300 Moursund Avenue, Houston, Texas
77080

09-90-0095

System name:

Management Information System Efficiency Reporter (MISER) HHS/ASPER/OHR.

Security classification:

None.

System location:

Computer files are stored at these locations: (1) Division of Computer Research and Technology, National Institutes of Health, Building 12-A, Bethesda, Maryland 20205 and (2) Social Security Administration (SSA), EEO Office, 811 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Paper files may be stored at the above locations as well as at the Management Information and Operations Support Staff Unit, Room 2412, Switzer Building, 330 C Street, SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Applicants for employment and current or former employees, who have a formal grievance, grievance reconsideration, merit system/prohibited personnel practice complaint, or EEO complaint against the agency or agency official investigators, examiners, contractors, and/or clerical support personnel, who are involved in case processing.

Categories of records in the system:

The automated and manual system consists of a variety of records pertaining to EEO complaints, HHS grievances, grievance reconsiderations, investigations of merit systems violations and prohibited personnel practices. In addition to the employees's name as a personal identifier, this system includes information such as Social Security account number, position title, grade, and series, organizational locations; race, sex, type of case; issue; basis; action on case; dates filed and received; processing events; names of staff involved in case processing and weekly, monthly, and yearly production data. These records also include documentary and physical evidence, correspondence, information from personnel files, affidavits, investigative reports, analytical papers, computer discs, tapes, and hard copy reports. The system includes EEO—case racking data of other components.

Authority for maintenance of the system:

Executive Order 11478, 42 U.S.C. 200e 29 U.S.C. 833a, 5 U.S.C. 1302, 3301, 3302, Executive Order 10577, Executive Order 11767.

Purpose(s):

Information in this system of records is used in locating problem areas for personnel management evaluation, analyzing causes of lowered morale among Department employees, recommending policy regarding investigation and processing of complaints, case management and control, human resources planning, and to document investigations of merit systems and prohibited personnel practices complaints.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. To the Department of Justice for the purpose of obtaining its advice, when desirable or necessary, to determine whether particular records are required to be disclosed under the Freedom of Information Act.

3. In the event of litigation where the defendant is (a) The Department of Health and Human Service (HHS), any component of HHS or any employee of HHS in his or her official capacity; (b) the United States where HHS determines that the claim, is sussessful, is likely to directly affect the operations of HHS or any of its components; or (c) any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee. HHS may disclose such record as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

4. To Equal Employment Opportunity Commission to refine the complaints processing procedure and to provide technical assistance to Federal agencies the Departments as it relates to the efficiency and effectiveness of their complaints systems.

5. To the Office of Management and Budget to make a detailed and accurate assessment of the complaint program's cost effectiveness.

6. To the Merit Systems Protection Board (including its Office of the Special Counsel) to investigate alleged violations of merit system principles.

7. To the Office of Personnel Management (OPM) to carry out personnel management evaluations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tapes, disks, cassette tapes, bound notebooks, paper forms, and index cards in locked file cabinets.

Retrievability:

Information is retrieved by names, docket numbers, or other data elements (e.g., type of case, organizational unit, dates).

Safeguards:

Safeguards are established in accordance with Part 6, ADP Systems Manual. Access to and use of these records is limited to those persons whose official duties require such access. Records are kept in locked files or a locked room. Data stored in the automated system is accessed through the use of passwords known only to authorized personnel.

Retention and disposal:

Manual and automated records are destroyed by shredding or erasing after periods varying from one to five years after resolution or final disposition of the complaint or grievance.

System manager(s) and address:

Director, Office of Human Relations, Room 508-E, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201.

Notification procedure:

Exempt. However, consideration will be given to requests addressed to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record being sought.

Contesting record procedures:

Exempt. However, consideration will be given to a request written to the system manager. Request should specify the information to be contested, and state the corrective action sought and the justification for the correction.

Record source categories:

Information is either provided by the individual to whom EEO complaint, grievance, grievance reconsideration, merit system and prohibited personnel practice complaints apply; derived from information supplied by others; or is supplied by documents related to the investigation. Record sources may include a confidential source.

Systems exempted from certain provisions of the act:

Records in the system of records will be exempt from the provisions of the Privacy Act concerning: Making the accounting of certain disclosures available; providing notification access and amendment; and the corresponding provisions of the Department's Privacy Act regulation (45 CFR Part 5b). This exemption is based on 5 U.S.C. 552a(k)(2).

09-90-0101

System name:

Health Care Program Violations, HHS/OS/OIG

Security classification:

None.

System location:

Office of Inspector General, Office of Investigations, 330
Independence Avenue, SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Individuals, institutions or other suppliers of health care services or items, who have been suspended, excluded, or debarred from any public or private health care assistance, insurance or casualty program or plan, or convicted of defrauding such a program or plan. The persons and organizations would include all types of physicians, nurses, pharmacists, dentists, therapists, pharmacies, hospitals, clinics, nursing homes, manufacturers and vendors.

Categories of records in the system:

Public information on persons or organizations which have been convicted of fraud, suspended, excluded or debarred, including names, publicly available social security numbers, aliases and "doing-business-as," addresses, and other available unique identifiers related to fraud, waste and abuse; occupations and specialties, and institutional affiliations; types and dates of formal action (suspension, exclusion, debarment, indictment, conviction, acquittal, sentencing and reversals); sentences (incarceration, suspension, probation, public service, etc.) and amounts of fines; types of fraud, and service and amounts defrauded; program and program requirements violated; and sources of the information.

Authority for maintenance of the system:

Title II of Pub. L. 94–505.

Purpose(s):

To reduce fraud and abuse in health care programs by providing a clearinghouse of public information on persons suspended, excluded or debarred from health care programs, or convicted of violations of such programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information maintained by this system may be disclosed, as a routine use, to Federal, State, local public and private agencies and organizations, as follows:

a. Agencies or organizations which reimburse or regulate reimbursement to persons or organizations for health-related services or items, to alert them to possible violations of their own payment programs or plans.

b. Agencies or organizations which license, certify or otherwise regulate the health-related activities of persons or organizations which provide health care service or items to alert them to possibly disqualifying actions, practices or conditions.

c. Agencies or organizations charged with investigating or prosecuting possible violations indicated in items a and b.

d. Upon request, agencies or organizations seeking information in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

e. Professional and business organizations concerned with standards and conduct of persons engaged in providing health services and items.

f. Scholars or other researchers investigating trends and characteristics in the health care field.

2. Disclosure may be made to a Congressional office from the record of and individual in response to an inquiry from the Congressional office made at the request of that individual.

3. In the event of litigation where the defendant is (a) the Justice Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any other of its components; or (c) any Department employee in his or her individual capacity where the Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the record were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on computer tape files and computer-printed listings.

Retrievability:

The records are retrievable by agency-assigned case numbers, name, social security number, address, occupation, type of violation, program violated, service defrauded, institutional affiliation, and source of information.

Safeguards:

Direct access is restricted to authorized staff members of the Office of Inspector General (OIG). Computer files and printed listings are maintained in security type safes or lock bar file cabinets. They are safeguarded in accordance with the provision of the National Brueau of Standards Federal Information Processing Standards 41 and 31, and the HHS Information Processing Standards, HHS ADP Systems Manual, Part 6, "ADP Systems Security". All computer tapes are password protected prohibiting unauthorized access.

Retention and disposal:

OIG maintains the records and files for three years, after which they are transferred to the Federal Records Center for an additional two years.

System manager(s) and address:

Inspector General/Deputy Inspector General, Department of Health and Human Services, 330 Independence Avenue SW, Room 5246, Washington, D.C. 20201.

Notification procedure:

To determine if a record exists, write to: Mr. Phil Cogan, Department of Health and Human Services, 330 Independence Avenue SW, Room 5238, Washington, D.C. 20201.

Record access procedures:

Same as Notification Procedure.

Contesting record procedures:

Contact the official at the address specified under Notification Procedure above, and reasonably identify the record and specify the information to be contested, and the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Government and private agencies and organizations furnish records included in the system.

Systems exempted from certain provisions of the act:

None.

09–90–0102

System name:

Federal Personnel/HHS or HHS Funded Benefit and Loan Program Temporary Matching File HHS/OS/OIG.

Security classification:

None.

System location:

Office of the Inspector General, DHHS, Room 5262, North Building, 330 Independence Avenue, SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Federal personnel (employees, retirees, and survivors) who are also included in HHS or HHS funded benefit and loan program record files.

Categories of records in the system:

Federal personnel records including name, social security number, date of birth, sex, work status, pay grade, duty station, OPM claim number, health benefit enrollment code, retirement date, annuity rate, pay status of case, correspondence address, zip code, and HHS or HHS funded benefit and loan program records including name, social security number, date of birth, address, and data used to determine eligibility.

Authority for maintenance of the system:

Pub. L. 94–505.

Purpose(s):

This system of records is maintained to facilitate the comparison of records to identify those federal employees, federal retirees, or their survivors who may also be receiving assistance under an HHS or HHS funded benefit or loan program. These records will then be used for the purpose of reviewing eligibility and identifying any debts owed under these programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used as follows:

1. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, foreign, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto where such responsibility rests outside of OIG.

2. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record

relevant to an agency decision concerning the hiring or retention of an employee or disciplinary or other administrative action concerning an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

3. A record from this system of records may be disclosed to a Federal agency in connection with the hiring or retention of an employee or disciplinary or other administrative action concerning an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the agency, to the extent that the record is relevant and necessary to the agency's decision on the matter.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

6. A record from this system may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records if necessary to obtain a record relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

7. Disclosures may be made to the Office of Personnel Management or the Merit Systems Protection Board (including the Office of the Special Counsel) of information relevant and necessary to carrying out their functions.

8. Disclosures may be made to third party contacts where the party contacted may have information needed to establish or verify relevant information.

9. Disclosures may be made to Federal, State, and local agencies or to other agencies administrating federally funded programs where necessary to take action with regard to individuals not entitled to program benefits or individuals delinquent on loan payments under federally funded programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on computer tape files and computer printed listings.

Retrievability:

The records are retrieved by computer using Social Security Number as the principal matching criterion.

Safeguards:

Direct access is restricted to authorized staff members of the Office of the Inspector General. Access within HHS is limited to those employees who are directly involved in the matching program on a need-to-know basis. Computer files and printed listing are maintained in security type safes or lock bar file cabinets. They are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HHS Information Processing Standards, HHS ADP Systems Manual, Part 6, "ADP Systems Security." All computer tapes are password protected prohibiting unauthorized access.

Retention and disposal:

In instances of computer matching of files, only those records which meet predetermined criteria are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes will be returned within 60 days. All records obtained as a result of the matching program will be degaussed as soon as possible within 6 months except for those records which are necessary to the completion of pending law enforcement activities or administrative activities of the matching program. Paper listings will be either shredded or burned.

System manager(s) and address:

Inspector General/Deputy Inspector General, Room 5246,
North Building, U.S. Department of Health and Human
Services, 330 Independence Avenue, SW, Washington, D.C.
20201.

Notification procedure:

Contact: Richard McGowan, Public Affairs Officer, Office of Inspector General, Department of Health and Human Services, Room 5267, North Building, 330 Independence Avenue, SW, Washington, D.C. 20201.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested, the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

Records are furnished from the Central Personnel Data File (CPDF) maintained by the Office of Personnel Management, from other Federal agency personnel records systems, and from HHS or HHS-funded program records systems.

Systems exempted from certain provisions of the act:

None.

09–90–0150

System name:

Research and Demonstration Data System, HHS/OCSE.

Security classification:

None.

System location:

Office of Child Support Enforcement, Department of Health and Human Services, 6110 Executive Boulevard, Rockville, Maryland 20852.

Contractor Sites: Contractor addresses may be obtained by writing to the System Manger at the address below.

Categories of individuals covered by the system:

Records may be maintained on custodial parents, absent parents, and their children. Such persons may include those who are eligible for and receiving AFDC, Food Stamps, Medicaid, and Title XX social services as well as those who are non-AFDC recipients of Child Support Enforcement (CSE) services and their relations.

Categories of records in the system:

The system will maintain records which will be used for statistical and research analysis only, as well as other records which will be used to conduct program functions involving the research and demonstration projects. Participants will be informed at the time of data collection that information obtained by survey or interview exclusively for statistical and research purposes will be protected from disclosure for other purposes to the fullest extent permissible by law.

The information in this system may include for any person such items as name, social security number, date of birth, State case identification number, local identification number, type of case (AFDC, non-AFDC, full service, locate only, paternity, etc.), sex, education, race, marital status, medical insurance, AFDC benefits, Food Stamp benefits, Medicaid benefits, gross earned income, work expenses, disregards, child care expenses, unearned income, shelter expenses, Title XX payments, child support obligated amount, child support payments paid and received, employment, assets, and other information as may from time to time be needed. The actual information obtained will vary from research project to research project and may include all, none, or some of the items listed.

Authority for maintenance of the system:

Pub. L. 93–647; Pub. L. 96–272; Sec. 1110 of Social Security Act; Pub. L. 98–378.

Purpose(s):

To enable researchers to obtain data needed to conduct various research and demonstration projects in the area of child support enforcement. These projects are to add to existing knowledge and promote improvements or new methods and techniques in the area of child support enforcement operations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to the Department of Justice in the event of litigation where the defendant is (a) the Department of Health and Human Service (HHS), any component of HHS, or any employee of HHS in his or her official capacity; (b) the United States where HHS determines that the claim, if sucessful, is likely to directly affect the operations of HHS or any of its components; or (c) any HHS employee in his or her individual capacity where the Justice

Department has agreed to represent such employee. In these cases, HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

(2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual.

(3) Disclosure may be made to a contractor under contract to OCSE for the performance of research and statistical activities directly related to this system of records in conducting the research and demonstration projects and to provide a statistical data base for research studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be maintained on disk, magnetic tape, paper records or other formats as appropriate for the individual research project.

Retrievability:

Access to records will vary from project to project and may include such methods as name, social security number, State-assigned case number, etc.

Safeguards:

All contractors must certify that they are in compliance with the Privacy Act of 1974 and the rules and regulations issued pursuant to that act in the design, development, or operation of any system of records on individuals in order to accomplish an agency function which the contract specifically identifies.

All contractors are also subject to the provisions of a "Confidentiality of Information" article. This article provides that "Unless otherwise specified, all financial, statistical, personnel and/or technical data which is furnished, produced, or otherwise available to the contractor during the performance of this contract are considered confidential and shall not be used for purposes other than performance of work under this contract nor released by the contractor without the prior written consent of the project officer. Any presentation of any statistical or analytical materials, or any reports based on information obtained from the studies covered by this contract, will be subject to review by the Government's project officer before publication or dissemination."

In addition, where automated systems are used, safeguards shall be established in accordance with the Department's ADP Systems Manual, Part 6, ADP Systems Security.

Retention and disposal:

At the conclusion of research and development studies, upon acceptance of the final report by OCSE, the identifying information will be separated from the records and stored in a locked file for a year, after which it will be destroyed.

System manager(s) and address:

Director, Policy and Planning Division, Office of Child Support Enforcement, 6110 Executive Boulevard, Rockville, Maryland 20852.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the above address and providing name, address and SSN. (Furnishing the SSN is voluntary, however, it would make searching for the individual's record easier and avoid delay. An individual who is unable or unwilling to furnish his or her SSN will be required to provide other information such as date and place of birth and both parents' names to enable us to locate the record. Also, it would be helpful but not absolutely necessary to identify the particular research project in which the individual participated.) These procedures are in accordance with HHS regulations, 45 CFR 5b.5.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS regulations 45 CFR 5b.5.

Contesting record procedures:

Contact the official at the address specified under System Manager and Address above, and reasonably identify the record and specify the information to be contested and corrective action sought with supporting justification. These procedures are in accordance with HHS regulations 45 CFR 5b.7.

Record source categories:

Records in this system will be derived from individuals, program records of other Federal/State welfare programs (e.g., AFDC, Medicaid, Food Stamps, SSI), survey data collected by contractors, child support enforcement agencies, Health Care Financing Administration, employers, and other departments, agencies, or instrumentalities of the United States or any State.

Systems exempted from certain provisions of the act:

None.

09-90-1101

System name:

Optional Form 55 Cards Issuance Log. HHS/OS/RIX/ORD/DAS.

Security classification:

None.

System location:

DHHS, Region IX, Office of the Regional Director, Division of Administrative Services, 50 United Nations Plaza, Room 30, San Franciso, California 94102.

Categories of individuals covered by the system:

All persons who have been issued United States Government Identification Cards (Optional Form 55, or OF-55) by the DHHS Region IX Division of Administrative Services. This includes (1) federal employees working in the federal office building at 50 United Nations Plaza, San Francisco, California; (2) certain private individuals ("contractors") providing services at that location; (3) DHHS employees working elsewhere in San Francisco; and (4) DHHS employees working in Region IX and requesting an official identification card.

Categories of records in the system:

Serial number of OF-55 card, date of issuance, name of individual to whom issued, individual's agency designation (for federal employees, the employing agency; for other individuals, indication of nonfederal status and/or the employer), and void date for the card. In addition, for individuals in the first three catagories above, the system will contain a small photograph of the individual.

Authority for maintenance of the system:

18 U.S.C. 499, 701; 40 U.S.C. 318a-318c, 486(c), 490; 41 CFR 101-20.302, 101-20.501 to .503.

Purpose(s):

The system is used with the identification cards in a building security plan for the federal office building at 50 United Nations Plaza, San Francisco. Agency staff may refer to the system when an individual presents a card for admission to the building, to determine whether the card is valid and whether the individual presenting it is the one to whom it was issued.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) In the event that the system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system may be referred to the appropriate federal, state, or local agency charged witht the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto.

(2) A record from this system of records may be disclosed to a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention or an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(3) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(4) Disclosures may be made to persons participating in employee discipline or competence determination proceedings for the purposes of such proceedings.

(5) Disclosure from the record of an individual may be made to a congressional office in response to an inquiry from the congressional office made at the request of that individual.

(6) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her indiviudal capacity where the Department of Justice has agreed to represent such employee, the Department may disclose to the Department of Justice such records as it deems desirable or necessary to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

(7) Upon request any member of the unit(s) responsible for building security at the federal office building located at 50 United Nations Plaza, San Francisco, California, the Department may disclose such records as are needed to ensure the integrity and proper functioning of the building access security system in effect in that building.

(8) In the event that an individual to whom we issued an OF-55 card is the subject of an investigation for a violation or potential violation of law, whether criminal, civil, or regulatory in nature, and whether arising by general or particular program statute, or by regulation, rule, or order issued pursuant thereto, relevant records in the system may be released to the appropriate federal, state, or local law enforcement agency charged with the responsibility of investigating or prosecuting such violationor charged with enforcing or implementing the statute enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The printed information is recorded in log format and kept in a binder. The photographs (only of HHS San Francisco employees and Federal employees and contractors needing access card to 50 United Nations Plaza building) are also stored in the binder, but on separate pages from the printed information. (Only the individual's OF-55 serial number accompanies the photograph.)

Retrievability:

The records are retrieved by serial numbers of the OF-55 cards. (Retrieval of the printed information by manual search of employees' and contractors' names would also be possible under exigent circumstances.)

If abuse of the building access security system or unauthorized use of card is suspected, the Division of Administrative Services may provide the individual's name and component/office to the Regional Director and/or the employee's supervisor for investigation.

Safeguards:

Direct access is restricted to the System Manager (see below). The log binder is kept in a locked file cabinet. The System Manager's office is locked during non-work hours.

Retention and disposal:

When an employee resigns, retires, or otherwise terminates employment, or a contractor no longer needs access to the 50 United Nations Plaza building, his/her OF-55 card must be surrendered. When it is returned to the System Manager, the employee's or contractor's log entry will be removed and his/her photograph and card will be destroyed. If a new card is issued to an employee or contractor when his/her old card expires, the log entry will be updated to reflect the new card's serial number and void date.

System manager(s) and address:

Chief, Logistics Branch, Division of Administrative Services,
DHHS, 50 United Nations Plaza, Room 30, San Francisco,
California 94102.

Notification procedure:

Inquiries should be addressed to the System Manager; the serial number on the OF-55 card should be provided.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Contact the System Manager specified above; reasonably identify the record and specify the information to be contested and indicate corrective action sought and reason for corrections with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Name and agency designation are supplied by the employee or contractor. The photograph is taken when the OF-55 card is issued. Serial number, date of issuance, and void date are assigned or supplied by the Division of Administrative Services when the OF-55 card is issued.

Systems exempted from certain provisions of the act:

None.

09-90-9999

System name:

Automated Litigation Tracking System. HHS/OS/OGC.

Security classification:

None.

System location:

The database and software for this computerized system will be located at the Parklawn Computer Center (part of the Public Health Service) located at 5600 Fishers Lane, Rockville, Maryland 20857.

Each OGC location identified in the Appendix on the Administrative Claims System (09-90-0062) Federal Register, Wednesday, October 13, 1982 (47 FR 45540-45542) will have access to the database and software via one or more CRT terminals.

Categories of individuals covered by the system:

The individuals on whom records are maintained in this system are: (1) Individuals who are involved in litigation with the Department or the United States (regarding matters within the jurisdiction of the Department) either as plaintiffs or as defendants in both civil and criminal matters, (2) individuals who either file administrative compliants with the Department or are the subjects of administrative complaints initiated by the Department, including claims which are the subjects of records maintained in the Administrative Claims System, 09-90-0062, (3) individuals who are named parties in cases in which the Department believes it will or may become involved, and (4) OGC attorneys to whom cases are assigned.

Categories of records in the system:

The records contain information to identify: (1) The cases and legal actions that the Department either is involved in or in which it believes it will or may become involved, (2) the people involved in each case, (3) where within the government the case has been assigned, (4) what the status of the case is, including the key events that may have occurred, and (5) the legal and programmatic issues of the case.

Authority for maintenance of the system:

The authority for maintaining this system are the various statutes, regulations, rules or orders pertaining to the subject matter of the litigation, administrative complaint or adverse personnel action, (e.g., Public Health Service Act; Social Security Act; Civil Rights Act; Federal Food, Drug and Cosmetic Act; Federal Tort Claims Act, 28 U.S.C. 2671-2680, 1346(b); Waiver of Overpayment of Pay Act, 5 U.S.C. 5584; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240-243; Federal Claims Collection Act, 31 U.S.C. 951-953; and Federal Medical Care Recovery Act, 42 U.S.C. 2651-2653).

Purpose(s):

To enable the Office of the General Counsel to: (1) More efficiently and effectively use its resources in court and administrative proceedings, (2) provide a research tool that will permit attorneys to identify when and where similar litigation has occurred, and (3) enable management to better balance the attorney workload.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used in communicating with, among others, Federal, State, and local law enforcement agencies, private individuals, private and public hospitals, allegedly negligent parties, private attorneys, insurance companies, the United States Attorney and other Federal officials and agencies, individual law enforcement officers, and tribal officials. These communications are all for the purpose of investigating, settling, or denying claims and subsequent litigation action.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

In the event that a system of records maintained by this agency to carry outs its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system or records may referred, as a routing use to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issurance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

A record from this system of records may be disclosed to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

A record from this system of records may be disclosed to any Federal, state or local agency where the Department deems that the information is needed for any aspect of administering a Federal, state, or local program.

Records from this system may be disclosed to a private firm under contract to the Department for the purpose of having that firm convert the records to machine readable form, or collate, analyze, aggregate or otherwise refine the information in the records. The contractor will be required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information will be stored on a variety of computer-readable, electronic media, including disc, mass storage, and magnetic tape.

Retrievability:

The records in this system will be indexed by the court's docket number for the litigation and will be retrievable by any information contained in the record, including by: The name of either party, the Social Security Number (only for records on cases involving claims against one or more programs administered by the Social Security Administration or the Health Care Financing Administration), the name of the attorney assigned the case, and the legal or programmatic issues involved.

Only OGC staff will be permitted to retrieve information from this system.

Safeguards:

The buildings where these records are stored on electronic media are safeguarded by a variety of physical security systems which permit access only by authorized computer center personnel and authorized visitors escorted by computer center staff.

The computer terminals used to access the records are kept in rooms which are locked at the close of the business day and are generally accessible only to General Counsel personnel.

Electronically, the records are protected from unauthorized access by several password oriented systems which produce an audit trail of all attempts (successful and unsuccessful) to access the records. In general, this system complies with all security guidelines published by the Department (Part 6, ADP Systems Manual), which embodies the guidance presented by the National Bureau of Standards in the Federal Information Processing Standards.

Retention and disposal:

Records are maintained until the litigation or other judicial proceedings have ended and for varying periods of time thereafter, subject to the Federal Records Act and applicable retention schedules.

System manager(s) and address:

The agency official responsible for the system policies and practices outlined above is: The General Counsel, Department of Health and Human Services, Office of the General Counsel, Hubert H. Humphrey Building, Room 722A, 200 Independence Avenue, SW., Washington, D.C. 20201.

Notification procedure:

Any inquiries regarding these systems of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Access will not be provided to materials compiled by the Department for litigation purposes, such as information about briefs and recommendations to appeal or not to appeal, except when such access is granted by the court as a result of discovery or due process.

Contesting record procedures:

Contact the official designated in the section, "System Manager(s) and address", above; reasonably identify the record and specify the information that is to be contested; and state the corrective action sought and your reasons for requesting the correction, with supporting evidence to show why the record is not accurate, timely, complete, relevant or necessary.

Record source categories:

The information for this system is obtained through a number of sources including the exchange of legal pleadings, documents, formal and informal discovery, program offices and component agencies, private attorneys, State and local governments, their agencies and instrumentalities, and officers of other Federal agencies and the individuals involved.

Systems exempted from certain provisions of the act:

None.

Office of Human Development Services

Table of Contents

System Name and System Number:

09-80-0009—ACYE Mailing List,HHS/HDS/ACYF.
09-80-0020—HDS Publications Distribution Mailing List, HHS/HDS/OPA.
09-80-100—Records Maintained on Individuals for Program Evaluation Purposes Under Contracts, HHS/HDS.

09-80-0009

System name:

ACYF Mailing List, HHS/HDS/ACYF.

Security classification:

None.

System location:

Administration for Children, Youth & Families, Room 5130, Donohoe Building, 400 6th Street, SW., Washington, D.C. 20201.

Categories of individuals covered by the system:

Head Start grantees.

Categories of records in the system:

Mailing key contains grantees' names and addresses only.

Authority for maintenance of the system:

Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35).

Purpose(s):

To assist ACYF in carrying out its responsibilities to grantees under the Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual

(2) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tape.

Retrievability:

Indexed by code using letters and numbers; used for correspondence, to distribute program information. Addresses will be retrieved by matching of identifier codes with the grantees' names.

Safeguards:

Access by authorized personnel only.

Retention and disposal:

List is continually updated. Information is kept as long as accurate.

System manager(s) and address:

Director, Head Start Bureau, ACYF, P.O. Box 1182, Washington, D.C. 20013.

Notification procedure:

Any inquiry regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reason(s) for the correction with supporting justification.

Record source categories:

Source of information is directly from grantees.

Systems exempted from certain provisions of the act:

None.

09-80-0020

System name:

HDS Publications Distribution Mailing List, HHS/HDS/OPA.

Security classification:

None.

System location:

Room 358G, Hubert Humphrey Bldg., Washington, D. C. 20201

Categories of individuals covered by the system:

State and local governmental units, organizations, individuals and grantees who ask to receive HDS publications.

Categories of records in the system:

Name, title, address interest in HDS programs, addressee's field of activity, type of organization, scope of organization, whether provide information or services or both, and media affiliation, if applicable.

Authority for maintenance of the system:

Titles IV-B, IV-E, and XX of the Social Security Act; Developmental Disabilities Assistance and Bill of Rights Act, Pub. L. 94-103, as amended by Pub. L. 95-602; Title VIII of Pub. L. 93-644, as amended, Native American Programs; Pub L. 95-266, The Child Abuse Prevention and Treatment Act; Children's Bureau Act of 1912; Pub.L. 93-644, as amended, Headstart—Follow Through Act; Pub. L. 97-35, Omnibus Budget Reconciliation Act; 42 U.S.C. 5701, Runaway and Homeless Youth Act; and Older Americans Act of 1965, as amended.

Purposes(s):

To assist HDS programs in carrying out their responsibilities to disseminate program information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a Congressional office from the record of an individual in response to a verified inquiry from the Congressional office made at the written request of that individual.

2. Disclosure may be made to the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, andf disposing of records in the system:

Storage:

Computer tape.

Retrievability:

Addresses will be retrieved by name, interest in HDS programs, field of activity, type of organization or level of government, scope of organization, whether the addresses provide information or services or both, or type of media.

Safeguards:

1. Authorized Uses: Only authorized personnel within the Department may access the HUD mailing list.

2. Physical Safeguards: Computer tapes are stored in locked files in secured areas. Computer terminals are in secured areas.

3. Procedural Safeguards: Employees who maintain the tapes in this system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords known to authorized personnel. These passwords/keywords are changed frequently.

4. Implementation Guidelines: Part 6, 'Automated Information System Security' of the HHS Information Resources Management Manual.

Retention and disposal:

List is annually circularized as required by the Joint Committee on Printing and those not responding are dropped from the list.

System manager(s) and address:

Director, Division of Publication and Graphic Services, Office of Public Affairs, HDS, 329D, Hubert Humphrey Bldg., Washington, D.C. 20201.

Notification procedures:

Any inquiries regarding this system of records should be in writing and should be addresses to the System Manager.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and your reason(s) for requesting the correction with supporting evidence to justify it.

Systems exempted from certain provisions of the act:

None.

09-80-0100

System name:

Records Maintained on Individuals for Program Evaluation Purposes Under Contract, HHS/HDS.

Security classification:

None.

System location:

Hubert H. Humphrey Building, Room 306-E, 200 Independence Avenue, SW., Washington, D.C. 20201.

Independent contractors of HDS and collaborating Federal and State local government agencies.

Write to the system manager at the address below for the address of current locations.

Categories of individuals covered by the system:

Persons who are the subjects in various HDS program evaluation projects under contracts administered by HDS.

Categories of records in the system:

Information about evaluation project participants including their identities, addresses, occupations, professions, school or job performances, health status, and test scores.

Authority for maintenance of the system:

Authority is provided by Titles IV-B, IV-E and XX of the Social Security Act, as amended; Developmentally Disabled Assistance and Bill of Rights Act, Pub. L. 94-103 (1975), as amended; Native American Programs Act of 1974, Pub. L. 93-644, Title VIII, as amended; Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, Pub. L. 95-266, Head Start—Follow Through Act, Pub. L. 93-644 (1975), as amended; Runaway Youth Act, Pub. L. 93-415, Title III (1974); and Older Americans Act of 1965, Pub. L. 89-73, as amended.

Purpose(s):

To enable HDS to determine the effectiveness of certain programs it administers by having HDS contractors perform evaluation studies of various HDS programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

(1) HDS contractors in order to perform the program evaluation studies for which the records are maintained. These contractors are required to comply with the requirements of the Privacy Act with respect to the records.

(2) HDS contractors engaged in program evaluation support activities such as collating, analyzing, aggregating or otherwise refining records in this system. These contractors will be required to comply with the requirements of the Privacy Act with respect to the records.

(3) A Congressional office from the record of an individual in response to an inquiry which the Congressional office made at the written request of that individual.

(4) The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determine that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however,that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, microfilms, charts, graphs, computer tapes, disks, and punch cards.

Retrievability:

By name, Social Security Number when supplied voluntarily in addition to some other alternative system of retrieval, or other identifying number or symbol.

Safeguards:

Measures to prevent unauthorized disclosures are required as appropriate for each contractor location and for the particular records maintained under each contract. Each contractor implements personnel, physical and procedural safeguards such as the following:

(1) Authorized users: Records maintained in this system are accessible to only contractors compiling or using the information necessary to perform the program evaluation activities for which the system is designed.

(2) Physical safeguards: Records are kept in limited access areas. Offices and record storage locations are locked during off-duty hours. Input data for computer files is coded to preclude easy identification of individuals. Information on individual identities is kept separate from data used for analysis.

(3) Procedural and Technical safeguards: Access to manual files is available only to authorized personnel, as described above. Access to computer files is controlled through security codes known only to authorized users. Names and other information sufficient for easy identification of individuals are not included in data files used for analysis. These files are indexed by code number or symbols. Code numbers or symbols and complete identifying information in the individual are linked only if there is a specific need, such as for data verification and follow up.

Contractors maintaining records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in all contracts for program evaluation activities supported by this system. The system manager is the Director, Office of Policy Coordination and Review, HDS. HDS project officers responsible for overseeing performances of HDS contractors will also oversee compliance with these Privacy Act requirements.

The particular safeguards implemented at each site are developed in accordance with 45 CFR Part 5b, Chapter 45-13, "Safeguarding Records Contained in Systems of Records", of the HHS General Administration Manual, and Part 6 ADP Systems Security, of the HHS ADP Systems Manual and the National Bureau of Standards, Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Contractors are to retain records as long as necessary to accomplish the purpose for which the records were kept. Disposal methods include erasing computer tapes and disks, burning hard copies, shredding or any other method which effectively obliterates that data contained in the records.

System manager(s) and address:

Director, Office of Policy, Planning and Legislation, OHDS, Hubert H. Humphrey Building, Room 306-E, 200 Independence Avenue, SW., Washington, D.C. 20201, Telephone (202) 245-7027

Notification procedure:

To determine if a file exists, write to the system manager and provide the following information:

a. System name: Records Maintained on Individuals for Program Evaluation Purposes Under Contracts, HHS, HDS;

b. The requester's complete name at the time of program participation;

c. Facility used by (if applicable), and home address of, the requester at the time of participation; and

d. In some cases, where records are retrieved by an identifying number, it may be necessary to provide that number. A requester may be asked to voluntarily disclose his or her Social Security Number (SSN) in which case statutory authority for SSN solicitations will be provided to the requester. The SSN will only be used to retrieve any records that may be retained on the requester. Should a requester refuse to disclose his or her SSN then the system will be designed to ensure that his or her records will still be retrievable by some alternative means.

The requester must also verify his or her indentity by: Providing one piece of tangible identification (e.g., driver's license, passport, etc.); or submitting a notarized request; or providing a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act, subject to a maximum fine of five thousand dollars.

A parent or guardian who requests notification of, or access to, the record of a minor or legal incompetent must verify his or her relationship to the minor or incompetent person in the manner prescribed by 45 CFR 5b.5(b)(2)(iii), in addition to verifying his or her own identity.

Record access procedures:

Write to the system manager and provide the same information as required under the notification procedures above. Requesters should also reasonable specify the record content being sought. Requesters may ask for a list of accounting of the disclosures which have been made of their records.

Contesting record procedures:

Write to the system manager at the address specified above and reasonable identify the record and specify the information to be contested. State the corrective action and the reasons for the correction, and provide supporting justification to show that the record is inaccurate, incomplete, irrelevant, untimely, or unnecessary. Refusals to correct a record may be appealed in writing to the Assistant Secretary for Human Development Services, pursuant to 45 CFR 5b.8(a)(iv).

Record source categories:

The data contained in these records is furnished by the individual and third party contacts having specific knowledge about the individual that is needed to complete the program evaluation.

Systems exempted from certain provisions of the act:

None.

Health Care Financing Administration

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09-70-0026 Study of the Comparative Effectiveness of State Approaches to Regulation of Medicare Supplemental Policies; Medigap, HHS/HCFA/ORD
09-70-0028 Study of the Social, Ethical and Economic Consequences of Medicare Coverage for Heart Transplants, HHS/HCFA/ORD
09-70-0029 Evaluation of Medicare Competition Demonstrations, HHS/HCFA/ORD
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09-70-2005 Medicaid Third Party Liability (TPL) Cost Avoidance Study, HHS/HCFA-BQC.
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09-70-3002 Health Care Fnancing Administration (HCFA) Employee Building Pass Files, HHS/HCFA/OMB.
09-70-3003 Health Care Financing Administration (HCFA) Correspondence Handling and Processing System, HHS/HCFA/OMB.
09-70-4001 Group Health Plan System, HHS/HCFA/BPO.
09-70-4002 Beneficiary Inquiry Tracking System (BITS), HHS/HCFA/OPHIC.
09-70-4003 Medicare HMO/CMP Beneficiary Reconsideration System (MBRS), HHS/HCFA/OPHC.
09-70-5001 Medicare Hearings and Appeals System (MHAS), HHS/HCFA/AAO.
09-70-6001 Medicaid Statistical Information System (MEDSTAT).

09-70-0005

System name:

Medicare Bill File (Statistics) HHS, HCFA, BDMS.

Security classification:

None.

System location:

HCFA DATA CENTER, Lyon Building, 7131 Rutherford Road, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Persons enrolled in hospital insurance or supplemental medical benefits parts of the Medicare program.

Categories of records in the system:

Bill data, demographic data on the beneficiary; diagnosis and surgery codes; provider characteristics and identifying number (including physicians).

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 13950).

Purpose(s):

To study the operation and effectiveness of the Medicare program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

best copy available

Disclosure may be made: (1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Bureau of Census for use in processing research and statistical data directly related to the administration of Social Security programs.

(3) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

is party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(4) To an individual or organization for a research evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained:

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature of retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit or

(d) When required by law:

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(5) To entities with a legitimate need for data for statistical analyses bearing on Medicare payment policies for inpatient hospital services. Information disclosed for this purpose will not include a beneficiary's health insurance claim number, race, or Medicare status code, the beneficiary's age will be identified only bv age intervals; the beneficiary's residence will be identified only to the extent of stating whether he or she resides in the same State as the provider, the admission and discharge dates will be identified only by calendar quarter; and the date of surgery will be identified only as the number of days after admission.

Each of the Medicare Provider Analysis and Review (MEDPAR) file—short-stay hospital services file, long-term hospital services file, skilled nursing facility services file, and other provider services file—will be modified in accordance with the foregoing provisions for release. The entity must agree:

(a) Not to try to identify individual beneficiaries.

(b) Not to disclose raw data to any persons except contractors for data processing and storage (and it must agree to require any such contractor not to release any data and not to retain any data after performing the contract).

(c) Not to link this information to other beneficiary-specific records.

(d) Not to publish or otherwise disclose data in a form raising unacceptable possibilities that beneficiaries could be identified, and

(e) To safeguard the confidentiality of the data and to try to prevent unauthorized access to it.

(6) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

(7) With respect to the QC/MEDPAR File, to entities with a legitimate need for data for the purpose of conducting research or evaluation on the quality and effectiveness of care provided in hospitals. Research or evaluation under this routine use must focus on the improvement of health care or measures for determining, validating, and monitoring the quality and effectiveness of hospital care in such areas as access to care, outcomes of care, and effectiveness of care in improving, restoring, or maintaining the independence and functioning of Medicare beneficiaries. Information disclosed under this routine use will be limited to the data elements described in Appendix A.

The QC/MEDPAR File may be released to an entity if HCFA determines:

a. That the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained.

b. That the purpose for which the disclosure is to be made:

(1) Cannot reasonably be accomplished unless the data are provided in the detailed form described in Appendix A:

(2) Is reasonably likely to be accomplished in view of the capabilities of the requesting entity and other factors; and

(3) Is of sufficient importance to warrant the possible effect on the privacy of the individual that the disclosure of the data might bring.

c. In order for HCFA to determine that the requirements in section (b) are met, the entity must submit and HCFA must approve:

(1) A research or evaluation plan specifying the objectives of the research or evaluation, the manner in which the data will be used, the financial support for the plan, and the date the research or evaluation will be completed. Evaluation plans designed to assist specific providers must be supported by letters of commitment to the evaluation by the providers. Values or differences in values that would trigger provider action must be addressed in the evaluation plan as well as the action the provider intends to take; and

(2) A copy of any report by a panel of recognized experts reviewing the research or evaluation plan (when such review has been performed).

(d) The entity and its contractors, if any, must sign a statement acknowledging that section 1106(a) of the Social Security Act, which prohibits the disclosure of confidential information and imposes criminal penalties, may apply. They must also agree to the following:

(1) Not to link the data to other beneficiary-specific records nor to use the data to identify individual beneficiaries;

(2) Not to use the data for purposes that are not related to HCFA-approved research or evaluation of the quality and effectiveness of hospital inpatient care. Prohibited uses include but are not limited to: marketing (for example, identification and targeting of under or over-served health service markets primarily for the purposes of commercial benefit), insurance (for example, redlining areas deemed to offer bad health insurance or underwriting risks), and adverse selection (for example, identifying patients with high-risk diagnoses). The data must not be made available by the entity or its contractor for an activity not approved by HCFA, even if carried on within the entity or its contractor.;

(3) Not to disclose the data to any persons or organizations unless the data are in aggregated form as described in paragraph 5. The data may be disclosed to a contractor for data processing if:

(a) The entity has specified in the research plan submitted to HCFA that the contractor would receive the data for that purpose, or the entity has obtained written authorization from HCFA to make the disclosure to the contractor, and

(b) The contractor has signed a confidentiality statement with HCFA:

(4) Not to publish or otherwise disclose the data in the form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level where no data cells have ten or fewer beneficiaries);

(5) To submit a copy of its plans for any aggregation of the data intended for publication to HCFA for approval prior to publication;

(6) To establish appropriate administrative, technical, procedural and physical safeguards to protect the confidentiality of the data and to prevent unauthorized access to it;

(7) To return all files to HCFA, and destory any copies that may have been made, at the completion of the research or evaluation plan.

(8) To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained;

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made:

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individuals that additional exposure of the record might bring, and;

(3) There is a reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except;

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following;

(1) Not to use the data for purposes that are not related to the evaluation of cost, quality, and effectiveness of care;

(2) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(3) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

All records are indexed by health insurance claim number and by hospital provider number.

Safeguards:

For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are maintained with identifiers as long as needed for program research.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Room 1-A-11, Security Office Park, Baltimore, Maryland 21207.

Notification procedure:

For purpose of access, write the systems manager, who will require name of system, health insurance claim number and for verification purposes, name (women's maiden name, if applicable), social security number, address, date of birth and sex; and to ascertain whether the individual's record is in the system, utilization and date of utilization under Part A or Part B of Medicare services, home health agency, hospital (inpatient), hospital (outpatient) or skilled nursing facility.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought (These access procedures are in accordance with the Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Medicare enrollment records: Medicare bill records: Medicare provider records for a sample of persons treated as hospital patients (inpatient and outpatient) and skilled nursing facility patients.

Systems exempted from certain provisions of the act:

None.

Appendix A.—Data Elements Contained in the Quality of Care MEDPAR File

Data element	Description	Function
1. HI Claim Number	Encrypted to protect the identity of the beneficiary	To determine the number of stays for a beneficiary.
2. Day of Admission	1—Sunday 2—Monday 3—Tuesday 4—Wednesday 5—Thursday 6—Friday 7—Saturday	To facilitate analysis of admission patterns.
3. Sex	—male —female —unknown	To measure sex-based differences.
4. Medicare Status Code	Code to show reason for beneficiary's entitlement —aged without ESRD —aged with ESRD —disabled without ESRD —disabled with ESRD —ESRD only	To examine effectiveness of care for different categories of Medicare beneficiaries.
5. Discharge Destination	—To home, self care —To short-term hospital —To SNF —To other type facility —To home health service —Left against medical advice —Died —Still a patient	To group stays into Diagnois Related Groups (DRGs)
6. Medicare Provider Number	Identification number of hospital	To allow for review of care on an institution-specific basis.
7. Date of Admission	Date, plus/minus 1 to 20 days*	To measure intervals between hospital episodes.
8. Date of Discharge	Date, plus/minus 1 to 20 days*	To measure intervals between hospital episodes.
9. Length of Stay	Numer of days in hospital stay	To examine days of care.
10. Intensive Care and Coronary Care Days	Days in special care units of hospitals	To measure outcomes in and use of special care units.
11. Total Charges	All charge fields (fields 11-21) are in whole dollars	Charge fields 11-21 are included to measure relative resource use across cases.

Appendix A.—Data Elements Contained in the Quality of Care MEDPAR File—Continued

Data element	Description	Function
12. Routine Accommodation Charges		
13. Intensive Care and Coronary Care Charges		
14. Total Departmental (Ancilliary) Charges		
15. Operating Room Charges		
16. Pharmacy Charges		
17. Laboratory Charges		
18. Radiology Charges		
19. Supplies Charges		
20. Anesthesia Charges		
21. Inhalation Therapy Charges		
22. Principal and Other Diagnosis Codes	Five ICD-9-CM Codes	Fields 22-23 are included to identify diagnostic/surgical information and to group stays into DRGs.
23. Surgical Codes	Three ICD-9CM Volume 3 codes	
24. Date of Surgery	Date plus/minus 1 to 20 days*	To measure intervals between admission/discharge and surgery.
25. Blood Furnished	Number of points	To measure outcomes.
26. Diagnosis Related Group	DRG1-DRG475	To define diagnostic groups used in the Prospective Payment System.
27. Date of death	Date, plus/minus 1 to 20 days*	To determine mortality rates.
28. Urban/rural residence	1'urban 2'rural	To examine variations in care in urban and rural areas.
29. Zip-Code	5 digit zip	To examine variations in care in small areas.
30. Special Unit Code	S—Psychiatric Unit T—Rehabilitation Unit U—Swing-bed Hospital V—Alcohol/Drug Unit Blank	Distinguishes PPS-exempt unit records.
31. Beneficiary State of Residence	Two-position SSA numeric code	To facilitate seasonal migration studies.
32. Source of Admission	Admission Type 1, 2, or 3: 1—Physician Referral 2—Clinic Referral 3—HMO Referral 4—Transfer from Hospital 5—Transfer from SNF 6—Transfer from Another Health Care Facility 7—Emergency Room 8—Court/Law Enforcement 9—Unknown Admission Type 4: 1—Normal Delivery 2—Premature Delivery 3—Sick Baby 4—Extramural 5—Unkown	To allow analysis of admissions and episodes of care.
33. Type of Admission	1—Emergency 2—Urgent 3—Elective 4—Newborn 9—Unknown	To allow analysis of admissions and episodes of care.
34. Number of Diagnosis Codes	1 through 5	Enable search of diagnosis fields.
35. Number of Surgical Codes	1 through 3	Enable search of surgical procedures fields.
36. Actual Age	Three-position age of beneficiary based on the date of admission.	To measure age-based differences.

*The same random number will be added to all dates in every discharge record occurring for a beneficiary during the year. The random number will range from ±1 through 20.

The following subsets will be available (no combinations): one to five States; one to five DRGs; one to five ICD-9-CM codes; and standardized subsamples (5, 10, or 20 percent).

09-70-0006

System name:

Medicare Enrollment Records (Statistics) HHS, HCFA, BDMS.

Security classification:

None.

System location:

Office of Systems Operations, OS, SSA, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

All persons enrolled for hospital or supplemental medical benefits under the Medicare program, including enrollees for whom the State has paid the premiums and enrollees who are members of direct dealing group practice prepayment plans.

Categories of records in the system:

Enrollment characteristics of the beneficiaries: Demographic characteristics.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 1395ll).

Purpose(s):

To study the characteristics of persons enrolled in the Medicare program and establish the basis for Medicare services utilization rates.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Bureau of Census for use in processing research and statistical data directly related to the administration of Social Security programs.

(3) To an individual or organization for a research, evaluation or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual,

(b) For use in another research project, under these same conditions, and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law;

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(4)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(5)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

All records are accessible by claim number. Subfiles are indexed also by group practice pre-payment plan number or by State buy-in number.

Safeguards:

For computerized records, safeguards established in accordance with guidelines in the DHHS ADP Systems Manual, Part 6, "ADP Systems Security," (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are retained with identifiers as long as needed for program research analysis.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Health Care Financing Administration, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access, write to the systems manager, who will require name of system, health insurance claim number, social security number, and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, enrollment in Medicare health or supplemental medical participation in a direct dealing group practice prepayment plan, or payment of premium by State.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

(These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Master beneficiary record: Medicare enrollment records.

Systems exempted from certain provisions of the act:

None.

09–70–0007

System name:

Health Insurance Enrollment Statistics, General Enrollment Period, HHS, HCFA, BDMS.

Security classification:

None.

System location:

Office of Systems Operations, OS, SSA, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

All persons who are eligible for Supplementary Medical Insurance coverage but have declined such coverage.

Categories of records in the system:

Limited demographic data (sex, date of birth, State and county of residence).

Authority for maintenance of the system:

Section 1875 of Title XVIII of the Social Security Act (42 U.S.C. 1395ll).

Purpose(s):

To contact persons eligible for Part B benefits who have refused or withdrawn coverage of these benefits, for purposes of reenrollment for Part B coverage and to evaluate results of such contacts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

All records are indexed by health insurance claim number.

Safeguards:

For computerized records, safeguards established in accordance with guidelines in DHHS ADP Systems Manual, Part 6, "ADP Systems Security." (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal:

Tapes are retained with identifiers as long as needed for program research.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Health Care Financing Administration, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access, write to the Systems Manager who will require system name and social security number and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Health Insurance Master Beneficiary File.

Systems exempted from certain provisions of the act:

None.

09-70-0008

System name:

Supplementary Medical Sample Bill Summary File of Medicare Utilization (Statistics) HHS, HCFA, BDMS.

Security classification:

None.

System location:

Office of Systems Operations, OS, SSA, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

A 5 percent sample of Medicare beneficiaries who have received any supplementary medical (Medicare) services January 1, 1975, or later.

Categories of records in the system:

Physician and supplier billing information.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 1395ll).

Purpose(s):

To study the effectiveness of the Supplementary Medical Insurance Medicare benefit.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) To an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form,

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except

(a) In emergency circumstances affecting the health or safety of any individual,

(b) For use in another research project, under these same conditions, and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law;

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(4)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

All records are indexed by claim number.

Safeguards:

For computerized records, safeguards are established in accordance with guidelines in DHHS ADP Systems Manual, Part 6, "ADP Systems Security," (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Health Care Financing Administration, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access, write the systems manager, who will require name of system, health insurance claim number and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex; and to ascertain whether the individual's record is in the system, date (month and year) on which supplementary medical services were received.

Record access procedures:

Same as notification procedures, Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with the Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Medicare claims submitted to carriers.

Systems exempted from certain provisions of the act:

None.

09-70-0013

System name:

Annual 5 percent Summary File of Services Reimbursed Under the Medicare Program (Statistics), HHS, HCFA, BDMS.

Security classification:

None.

System location:

Office of Systems Operations, OS, SSA 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Sample of Medicare enrollees with reimbursed services prior to January 1, 1975.

Categories of records in the system:

Demographic characteristics; amount of reimbursement by type of service.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 1395ll).

Purpose(s):

To study the characteristics of persons receiving Medicare reimbursed services and the types of services they received.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

All records are indexed by claim number.

Safeguards:

For computerized records, safeguards are established in accordance with guidelines in DHHS ADP Systems Manual Part 6, "ADP Systems Security," (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are retained with indentifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Health Care Financing Administration, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access, write the systems manager who will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name if applicable), address, social security number, date of birth and sex, and to ascertain whether the individual's record is in the system, whether any reimbursable services prior to 1974 or 1975 and the date (month and year) of such services.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Medicare enrollment records; Medicare bill records.

Systems exempted from certain provisions of the act:

None.

09-70-0019

System name:

Actuarial Sample Hospital Stay Record Study, HHS, HCFA, BDMS.

Security classification:

None.

System location:

Office of Statistics and Data Management, BDMS, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

A sample of persons who have received hospital insurance benefits as follows: 0.1 percent of aged; 1 percent of disabled; and 100 percent End Stage Renal Disease.

Categories of records in the system:

Information is obtained from inpatient hospital and extended care admission, and inpatient admission and billing forms.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 1395ll).

Purpose(s):

To project program costs for the Federal budget exercises and the Trustees report; compute adjusted average per capita costs; estimate cost impact of proposed legislation and regulations; special analyses of specific aspects of historical or anticipated experience under the program; and to determine Medicare program financing needs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1.To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

2. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

The file is indexed with claim account numbers; the data are used for statistical purposes.

Safeguards:

All mag-tape files are retained in secure storage areas—accessible only to authorized persons. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal:

The file is updated quarterly and the old tape goes to blank stock.

System manager(s) and address:

Health Care Financing Administration, Director, Bureau of Data Management and Strategy, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access the claim account number is required; write to systems manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

The identifying information contained in these records is obtained by the provider from the individual; the medical information is entered by the provider of medical services.

Systems exempted from certain provisions of the act:

None.

09–70–0020

System name:

Actuarial Sample of Supplementary Medical Insurance Payments, HHS/HCFA/BDMS.

Security classification:

None.

System location:

Office of Statistics and Data Management, BDMS, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

A sample of records for persons who have received benefits under the supplementary medical insurance provisions of the Medicare programs as follows: 0.1 percent of aged; 1 percent of disabled; and 100 percent End Stage Renal Disease.

Categories of records in the system:

The record contains only the information included in a payment record.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C 1395ll).

Purpose(s):

To project program costs for the Federal budget exercises and the Trustees report; compute adjusted average per capita costs; estimate cost impact of proposed legislation and regulations; special analyses of specific aspects of historical or anticipated experience under the program; and to determine Medicare program financing needs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

The file is indexed with claim account number, these data are used for statistical purposes.

Safeguards:

All magnetic tapes are retained in secure storage areas accessible only to authorized persons. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal:

This file is updated on a quarterly basis. The tape files are returned to blank stock after three years.

System manager(s) and address:

Health Care Financing Administration, Director, Bureau of Data Management and Strategy, Room 2424, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

For purposes of access the claim account number is required; write to the systems manager.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Supplemental medical insurance payment record.

Systems exempted from certain provisions of the act:

None.

09–70–0022

System name:

Municipal Health Services Program, HHS/HCFA/ORD.

Security classification:

None.

System location:

Health Care Financing Administration (primary location), Bureau of Support Services, Office of Direct Reimbursement, Health Services Studies Division (DHSS), 6325 Security Boulevard, Baltimore, Maryland 21207, and

University of Chicago, Center for Health Administration Studies (CHAS), 5720 Woodlawn Drive, Chicago, Illinois 60637.

Categories of individuals covered by the system:

Medicare beneficiaries who obtain health care services at any of the 20 clinics being funded by the Robert Wood Johnson Foundation under the Municipal Health Services Program (MHSP).

Categories of records in the system:

Bills submitted by MHSP clinics to claim Federal reimbursement for services provided to Medicare and Medicaid beneficiaries.

Authority for maintenance of the system:

Section 402(a) of the Social Security Amendments of 1967, as amended by section 222(b)(1) of Pub. L. 92–603.

Purpose(s):

To provide billing data necessary to permit reimbursement and evaluation of the clinics participating in the MHSP.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(4)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Office of Research and Demonstrations (ORD) will store data of hardcopy billing forms and machine readable media in storage area.

Retrievability:

ORD retrieves the data by beneficiary name, date of service, and clinic name, ORD will use the data to determine the appropriate level of reimbursement to be made to MHSP clinics.

Safeguards:

ORD will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals, ORD will store hardcopy in file cabinets in a locked office. For computerized records, HCFA will initiate ADP systems security procedures with reference to the guidelines contained in the DHHS ADP Systems Manual, Part 6, ADP System Security (e.g., HHS will store machine readable media in locked cabinets in a locked room accessible only to authorized personnel).

Retention and disposal:

ORD will retain hardcopy bills and machine readable media tapes with identifiers in secure storage areas. HCFA waivers permitting reimbursement to MHSP clinics will be effective through 1989: Therefore HCFA will retain all hardcopy and magnetic tape of disc data until December 1990. At that time, HCFA will destroy all hardcopy and strip all machine readable media of all identifying names and numbers by degaussing.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 2230, Oak Meadows Building, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

Individuals should address inquiries and requests concerning system records to the system manager, named above, specifying name, date of service, and clinic.

Record access procedures:

Any beneficiary who participates in the MHSP may request his or her data record in writing. Access procedure is the same as notification procedure. Requestor should also reasonably specify the record contents being sought. These procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures:

Contact the official at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7)).

Record source categories:

The information contained in this record system originates at MHSP clinics, specified in Appendix A to this notice, whenever a Medicare beneficiary obtains clinic services. Clinics in four of the cities, specified in Appendix B to this notice, will store hardcopies or machine readable media copies of the bills in their city health departments.

Systems exempted from certain provisions of the act:

None.

Appendix A—Participating Centers and Clinics

Contact the System Manager for further information about potential sites(*), Clinics or center not yet built (**), and those that are to be moved.

Albert Witzke Medical Center, 3411 Bank Street, Baltimore, Maryland 21224

Brehms Lane Medical Center, 3400 Brehms Lane, Baltimore, Maryland 21213

Matilda Koval Medical Center, 2323 Orleans Street, Baltimore, Maryland 21224

Hollander Ridge Health Center, 2000 O'dell Avenue, Baltimore, Maryland 21237

Washington Village Community Medical Center, 700 Washington Avenue, Baltimore, Maryland 21204

Milwaukee Johnston Health Center, 1230 West Grant Street, Milwaukee, Wisconsin 53215

Isaac Coggs Community Health Center, 2770 North Fifth Street, Milwaukee Wisconsin, 53212

Cincinnati Winston Hills Medical and Health Center, 5275 Winneste Avenue, Cincinnati, Ohio 45232

Braxton-Cann Memorial Medical Clinic, 5919 Madison Road, Cincinnati, Ohio 45227

San Jose Gardener Community Health Center, Inc., 195 Virginia Street, San Jose, California 95112

Family Health Foundation of Alviso, Inc., Olinder Health Center, Inc., 1245 E. Santa Clara Street, San Jose, California 95116

Appendix B—City Health Departments Where Records Will be Stored

Baltimore City Department of Health, 111 N. Calvert Street, Baltimore, Maryland 21202

Cincinnati Department of Health, 3101 Burnet Avenue, Cincinnati, Ohio 45229

Milwaukee Department of Health, 841 N. Broadway, Milwaukee, Wisconsin 53202

09-70-0026

System name:

Study of the Comparative Effectiveness of State Approaches to Regulation of Medicare Supplemental Policies: Medigap, HHS/HCFA/ORD.

Security classification:

None.

System location:

SRI International, 333 Ravenswood Avenue, Menlo Park, California 94025.

Categories of individuals covered by the system:

Medicare beneficiaries (age 65 and older) who reside in the six participating States and disabled Medicare beneficiaries (under 65) nationwide.

Categories of records in the system:

Questionnaires administered to approximately 4,800 Medicare beneficiaries. These questionnaires will provide information on each beneficiary concerning sociodemographic characteristics, such as education, knowledge of and experience with Medicare, number and type of private health insurance policies, identifying information about the policies held and purchasing behavior. A copy of each insurance policy will be obtained from the beneficiary if possible or from the insurance company with the policyholder's consent. Questionnaires will show beneficiary name and health insurance claim name (HI claim number) or other unique identifier. Insurance policies will have policyholder's identifying number. The National Center for Health Services Research (NCHSR) questionnaire will be administered to the same study sample of Medicare beneficiaries and will provide information concerning each respondent's knowledge of the risks of needing insurance coverage for long term care services, the availability of insurance for such risks, the preferences for specific insurance benefits for long term care and their willingness to pay for those benefits.

Authority for maintenance of the system:

HCFA authority is based on Section 1882 of the Social Security Act as amended by Section 507, paragraphs (f)(1) and (f)(2) of Pub. L. 96-265. NCHSR authority is based on Sections 304 and 305 of the Public Health Service Act, as amended by the Health Services Research, Health Statistics, and Medical Libraries Act of 1974. Pub. L. 93-353, and the Health Services Research, Health Statistics and Health Care Technology Act of 1978, Pub. L. 95-623.

Purpose(s):

The purpose of this system of records is to provide information on consumers' purchasing behavior, the policies they hold and the circumstances of insurance sales transactions in order to analyze the effectiveness of varying State insurance regulations on:

- Limiting marketing and agent abuse;
- Assuring the dissemination of such information to individuals entitled to benefits under this title (and to other consumers) as is necessary to permit informed choice;
- Promoting policies which provide reasonable economic benefits for such individuals;
- Reducing the purchase of unnecessarily duplicative coverage; and
- Improving price competition.

The purpose of the disabled beneficiary survey is to provide national estimates of the proportion of this population who have supplemental health insurance.

In addition the NCHSR system of records is to provide information on consumer's knowledge of the risks of needing long-term care, the availability of insurance for such risks, the preference for specific insurance benefits and their willingness to pay for those benefits. This information will be used to contribute to a study of the market potential for private long-term care insurance.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The contractor will receive all information in the system from beneficiary questionnaires and their health insurance policies either in hard copy, magnetic tape, or cards and store it in a master file. The contractor will use this information to assess the comparative effectiveness of various State regulatory approaches to Medicare supplemental insurance. Once the beneficiary questionnaire information is linked with the health insurance policy information of the beneficiary, all personal identifiers will be removed from the file.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The contractor will store records in hard copy and magnetic tape form.

Retrievability:

Records are indexed by Health Insurance claim number or other unique identifier.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. Authorized HCFA representatives will, upon request, be granted access to premises where records are kept for the purpose of inspecting physical security arrangements. However, no data will be released with identifying information. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by the Department's ADP Systems Manual, Part 6, ADP Systems Security, e.g., use of passwords.

Retention and disposal:

The contractor will hold hard-copy records, magnetic tapes, and cards until beneficiary specific data are received and compiled. All identifying information and hard-copy will then be destroyed thus protecting the confidentiality of all information collected. The contractor will retain all records for the life of the contract and then these records will become the custody of the Office of Research and Demonstrations, HCFA. The contractor will not retain any beneficiary based files. Data supplied to HCFA and NCHSR will not include beneficiary identifiers. No data which would possibly identify an individual will be supplied.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the systems manager at the address indicated above, specifying name, address and health insurance claim number. These notification and access procedures are in accordance with Department Regulations (45 CFR Part 5b).

Record access procedures:

Individuals participating in the Survery may request their data records in writing. Access procedure is the same as the notification procedure. Requestor should reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR Part 5b)).

Contesting record procedures:

An individual who wishes to contest the contents of any record in this system should contact the system manager and reasonably identify and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR Part 5b)).

Record source categories:

Sources of information contained in this record system include Medicare beneficiaries, insurance companies, survey contractor and subcontractors (if any), and selected HCFA files.

Systems exempted from certain provisions of the act:

None.

09-70-0028

System name:

Study of the Social, Ethical, and Economic Consequences of Medicare Coverage for Heart Transplants; HHS/HCFA/ORD.

Security classification:

None.

System location:

The location of the system for the duration of the contract will be: Battelle Human Affairs Research Centers, 4000 N.E. 41st Street, Seattle, Washington 98105. Additional information on the contractor site will be available by writing to the System Manager at the address below.

Categories of individuals covered by the system:

Heart transplant recipients or their families.

Categories of records in the system:

Questionnaires administered to approximately 100 living heart transplant recipients and approximately 100 families of deceased heart transplant recipients. These questionnaires will provide information on each transplant patient concerning survival rates, cost of the heart transplant procedure, and the impact of the procedure on the quality of life of the patient and his/her family. Relevant medical data will also be abstracted from patient medical records maintained at each transplant center.

Questionnaires will show a patient indentification number although patient names will not appear on the questionnaires. To the extent that these patients are eligible for and have received Medicare benefits for the treatment of end-stage cardiac disease, these data will also become part of the proposed system of records. Additional data will also be obtained from the four to six participating heart transplant programs. These data include yearly hospital charge data, Medicare cost reports, cost data on equipment, facilities and personnel resources needed to perform transplants, and other similar data.

Authority for maintenance of the system:

Section 1875 of the Social Security Act.

Purpose(s):

To provide information on all aspects of heart transplantation including the cost of transplant procedures and follow-up, the status of patients following transplant, and the implications the End-stage Renal Disease Program has for Medicare coverage of heart transplants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The contractor will use this information to assess the potential implications of a possible Medicare decision to pay for heart transplants on the Medicare program, Medicare beneficiaries, and the providers of health care.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Records are indexed by a unique identifier.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. Authorized HCFA representatives will, upon request, be granted access to premises where records are kept for the purpose of inspecting physical security arrangements. However, no data will be released with identifying information. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by the DHHS ADP Systems Manual, Part 6, ADP Systems Security, e.g., use of passwords.

Retention and disposal:

The contractor will hold hard-copy records, magnetic tapes, and cards until beneficiary specific data are received and integrated. All identifying information and hard-copy records will then be destroyed, thus protecting the confidentiality of all information collected. The contractor will retain all records for the life of the contract and then these records will become the custody of the Office of Research and Demonstrations, HCFA. Data supplied to HCFA will not include individual identifiers. No data which would possibly identify an individual will be supplied.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 2230,Oak Meadows Building, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the Systems Manager at the address indicated above, specify name, address and patient identification number. These notification and access procedures are in accordance with Department Regulations (45 CFR Part 5b).

Record access procedures:

Individuals participating in the survey may request their data records in writing. Access procedure is the same as the notification procedure. Requestor should reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR Part 5b.)

Contesting record procedures:

An individual who wishes to contest the contents of any record in this system should contact the System Manager and reasonably identify and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations 45 CFR Part 5b.)

Record source categories:

Sources of information contained in this record system include heart transplant patients, heart transplant centers, survey contractor and subcontractors (if any), and selected HCFA files. For example, data routinely reported on HCFA Form 1453, Inpatient Hospital and Skilled Nursing Facility Admission and Billing Form, will be requested.

Systems exempted from certain provisions of the act:

None.

09-70-0029

System name:

Evaluation of Medicare Competition Demonstrations, HHS/HCFA/ORD.

Security classification:

None.

System location:

Mathematica Policy Research Inc., P.O. Box 2393, Princeton, New Jersey 08540.

Categories of individuals covered by the system:

Medicare beneficiaries residing in the following states and counties who join the alternative health plans (AHPs) participating in the demonstration and control group beneficiaries who choose not to enroll: Arizona: Maricopa; California: Alameda, Contra Costa, El Dorado, Folano, Los Angeles, Marin, Orange, Placer, Riverside, Sacramento, Santa Barbara, San Diego, San Francisco, San Mateo, Ventura, Yolo; Colorado: Adams, Arapaho, Boulder, Clear Creek, Denver, Douglas, Gilpin, and Jefferson; District of Columbia; Florida: Broward, Dade, Hillsborough, Manatee, Orange, Palm Beach, Pasco, Pinellas, Sarasota, Volusia; Illinois; Cook; Indiana: Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, Shelby; Maryland: Caroline, Cecil, Dorchester, Frederick, Howard, Kent, Montgomery, Prince Georges, Queen Annes, Somerset, Talbot, Wicomico, Worcester; Massachusetts: Berkshire, Bristol, Essex, Hampden, Hampshire, Middlesex, Norfolk, Plymouth, Suffolk, Worcester; Michigan: Genessee, Lapeer, Macomb, Oakland, Shiawassee, Wayne; Minnesota: Anoka, Carver, Dakota, Hennepin, Ramsey, St. Louis, Scott, Sherbourne, Stearns, Washington, Wright; Missouri: Franklin, Jefferson, St. Louis City, St. Louis County; New Jersey: Burlington, Camden, Essex, Gloucester, Monmouth, Mercer, Middlesex; New York: Albany, Columbia, Greene, Livingston, Monroe, Rensselear, Saratoga, Schenectady, Washington; Ohio: Brown, Butler, Clermont, Crawford, Cuyahoga, Delaware, Franklin, Geauga, Hamilton, Hardin, Lake, Lorain, Lucas, Marion, Medina, Morrow, Portage, Summit, Warren, Wayne, Wyandot, Union; Oregon: Clackamas, Multnomah, Washington; Pennsylvania: Bucks, Chester, Delaware, Lehigh, Montgomery, Northhampton, Philadelphia; Rhode Island: Bristol, Kent, Newport, Providence, Washington; Texas: Galveston, Harris, Montgomery; Vermont: Bennington; Washington: Clark.

Categories of records in the system:

Demographic characteristics (e.g., age, education, source of medical care), factors related to choice of alternative health plans, data on satisfaction with alternative health plans, and health status measures.

Authority for maintenance of the system:

Section 402 of the Social Security Amendments of 1967, Pub. L. 90–248, as amended by section 222(b) of the Social Security Amendments of 1972, Pub. L. 92–603, 42 U.S.C. 1395b–1.

Purpose(s):

To provide data necessary to evaluate HCFA's Medicare competition demonstration projects, including information to study the marketing effectiveness of alternative health plans enrolling Medicare beneficiaries in these demonstrations, the potential selection bias in alternative health plan enrollment that may be associated with an enrollee's health status, and beneficiary satisfaction with the AHP option.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the contractor, Mathematica Policy Research, Inc., who will use this information to evaluate HCFA's Medicare competition demonstration projects.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4.To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary name or other unique identifier assigned by the contractor.

Safeguards:

The contractor, Mathematica Policy Research, Inc., will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by DHHS ADP System Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1988. Hardcopy will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstration, Health Care Financing Administration, Room 2230,Oak Meadows Building, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Management at the address indicated above, specify name, address, and Health Insurance number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Sources of information contained in this record system include surveys to be conducted of Medicare beneficiaries by the evaluation contractor, Mathematica Policy Research, Inc.

Systems exempted from certain provisions of the act:

None.

09–70–0030

System name:

National Long-Term Care Survey Follow-up, DHHS/HCFA/ORD.

Security classification:

None.

System location:

Department of Commerce, Bureau of the Census, Washington, DC 20233.

Categories of individuals covered by the system:

The system will include records of elderly Medicare beneficiaries who have been identified in the National Long-Term Care Survey as having a functional limitation. This information pertains to Medicare beneficiaries living in institutions, in their communities, and deceased beneficiaries.

Categories of records in the system:

The data records will include information on personal care; mobility; physical, mental, and social functioning; formal and informal services and supports; income and assets; and instrumental activities such as managing money and taking medicine plus basic information on nursing home stays, living arrangements, and demographics from persons who have no limitations.

Authority for maintenance of the system:

Section 1875(a) of the Social Security Act (42 U.S.C. 139511).

Purpose(s):

To provide a national data base on the incidence and prevalance of dependency among the functionally limited elderly person; the services they use, and their resources for providing long-term care in their communities and in institutions. The data will be used for developing long-term care policies for those who will require such care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

2. To contractors under contract with the Health Care Financing Administration (HCFA) or the National Center for Health Services Research (NCHSR) of the Department of Health and Human Services (DHSS) for projects involved in the Long-Term Care Initiative. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

To an individual or organization for a research, demonstration, evaluation, or epidemiologic project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in an individually identifiable form; and

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring; and

(3) There is reasonable probability that the objective for the use would be accomplished.

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual; or

(b) For use in another research project, under these same conditions, and with written authorization of HCFA; or

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

(d) When required by law.

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and disc, paper and card records.

Retrievability:

Records are retrieved by a unique identifying number which is linked to names, addresses, and Medicare numbers at the Census Bureau.

Safeguards:

All individuals having access to the system of records will sign a pledge of confidentiality or will be sworn Census employees. Automated records will be maintained in accordance with the National Bureau of Standards Federal Information Processing Standards, the DHHS ADP System Manual, Part 6, ADP System Security, and the Census Administrative Manual, Chapter C-2 "Confidential Data, Sensitive Information and Requests Under the Freedom of Information and Privacy Act."

Retention and disposal:

On the possibility that a further follow-up may be undertaken, tape and hard copy of all interviews will be retained for a period not to exceed five years, after which they will be destroyed. Data disposal will consist of burning or shredding the hard copy (and so certifying) and degaussing computer records. There are no plans to dispose of non-identifiable individual data.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 6325 Security Boulevard, Room 2230, Oak Meadows Building, Baltimore, Maryland 21207.

Notification procedure:

An individual requesting notice as to whether the system of records contains information pertaining to him/her, should write to the Systems Manager, at the above address, indicating his/her full name, current address, including ZIP Code at the time she/he was first interviewed for the survey, and the date of birth. The individual may simultaneously request records access as described below.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager at the address given above, reasonably identify the record as described above, specify the information being contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete or not current).

Record source categories:

Individual-specific information will be gathered through interviews with beneficiaries, their proxies, or their survivors.

Systems exempted from certain provisions of the act:

None.

09-70-0031

System name:

Evaluation of the HCFA Alcoholism Services Demonstration. HHS/HCFA/ORD.

Security classification:

None.

System location:

Lawrence Johnson & Associates, Inc., 4545 42nd Street, NW., Suite 103, Washington, D.C. 20016; SysteMetrics, Inc., 104 W. Anapamu, Santa Barbara, California 93101.

Categories of individuals covered by the system:

Medicare and Medicaid beneficiaries using alcoholism services in freestanding demonstration providers and selected hospital service units in the following states and counties; New Jersey: Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, Warren; New York: Albany, Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tiago, Tompkins, Warren, Washington, Wayne, Wyoming, Yates.

Categories of records in the system:

Demographic characteristics, such as age, sex, race, educational level, and marital status; factors related to general physical and psychological health; factors related to history of alcohol use and abuse.

Authority for maintenance of the system:

Section 402 of the Social Security Amendments of 1967, Pub. L. 90-248, as amended by section 222(b) of the Social Security Amendments of 1972, Pub. L. 92-603, 42 U.S.C. 1395b-1, and section 1115(a) of the Social Security Act as amended by section 404 of Pub. L. 95-216.

Purpose(s):

To provide data necessary to evaluate HCFA's Alcoholism Services Demonstration project, including differences in behavioral outcome, utilization of detoxification and rehabilitative services, and total health care costs for Medicare and Medicaid clients of hospital-based alcoholism service providers and freestanding demonstration providers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. For the exchange of information between the contractor and subcontractor, who will use this information to assess the feasibility of expanding coverage of alcoholism services to Medicare recipients and Medicaid eligibles to include services provided by freestanding residential treatment centers and freestanding outpatient treatment facilities.

2. To a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

3.To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4.To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary name and/or health insurance number.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. In addition, all employees using the data will sign statements assuring confidentiality of the data. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal information Processing Standards. Lastly, disclosure of the contents of records which pertain to an individual's alcohol abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR, Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 290dd-3, as amended by Pub. L. 98-24.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1986. Hardcopy will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 2230, Health Care Financing Administration, Room 2230, Oak Meadows Building, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health Insurance number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it, e.g., why it is inaccurate, irrelevant, incomplete or not current.

Record source categories:

Sources of information contained in this records system include surveys to be conducted of Medicare and Medicaid beneficiaries by an evaluation contractor, and data abstracted from existing records systems such as the Medicare Bill File, Medicare Enrollment Records, Medicaid Tape-to-Tape Files, state Medicaid billing and enrollment files, State Alcoholism Authority client files, and MADRS.

Systems exempted from certain provisions of the act:

None.

09-70-0032

System name:

Physicians' Practice Costs and Incomes Survey, HHS/HCFA/ORD.

Security classification:

None.

System location:

NORC, 1115 East 60th Street, Chicago, Illinois, 60637.

Categories of individuals covered by the system:

The individuals covered by this system will be a sample of 5,000 physicians who provide patient care at least 20 hours per week in either an office or hospital based setting, and who live in the 50 United States and the District of Columbia.

Categories of records in the system:

Practice costs (e.g., rent or depreciation for space and equipment, employee salaries and fringe benefits, malpractice insurance, transportation), gross and net income, deferred income and fringe benefits, practice financial arrangements, participation in Medicare and Medicaid, fees, workloads, locus of care, physician-hospital relationships.

Authority for maintenance of the system:

Section 1842(b)(3) of the Social Security Act as amended by Section 224(a) Pub. L. 92-603 (42 U.S.C. 1395u(b)(3)).

Purpose(s):

To provide data required to update the cost share weights of the Medicare Economic Index, and to evaluate the effect of federal policy for physician reimbursement on their participation in Medicare and Medicaid and on the locus of care, to monitor the effects of competition on physicians' practices' financial arrangements, to begin to monitor the effects of prospective payment on physicians' delivery of health care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the contractor, NORC, who will use this information during the data collection phase of the survey.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by a unique identifier assigned by the contractor to each physician record.

Safeguards:

The contractor, NORC, will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards. HCFA and other contractors using the data will not be able to identify the individual physicians who participated in the survey.

Retention and disposal:

Hardcopy lists of names and case identification numbers will be retained in secure storage areas. Individual records delivered to HCFA on the final data tape will contain no individual names, and the case identifiers will be different from those used by the contractor. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in September 1988. Hardcopy lists of names and identifying numbers will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration,Room 2230, Oak Meadows Building, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above and specify name and address.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Sources of information contained in this record system include data collected from physicians by means of a telephone interview survey. Data will also be provided by the American Medical Association from its master file of physicians in the U.S.

Systems exempted from certain provisions of tae act:

None.

09-70-0033

System name:

Person-Level Medicaid Data System, HHS/HCFA/ORD.

Security classification:

None.

System location:

Office of Research, ORD, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Persons who are enrolled in the Medicaid program under either Federal or State provisions.

Categories of records in the system:

Data from 5 State Medicaid agencies (California, Georgia, Michigan, New York, and Tennessee) showing the demographic characteristics of the enrolled population, claims submitted for covered medical services, and provider characteristics.

Authority for maintenance of the system:

Section 1902(a)(6) of the Social Security Act (42 U.S.C. 1396(a)(6)).

Purpose(s):

To study Medicaid use and expenditures in order to increase HCFA's understanding of the Medicaid and Medicare programs and to improve HCFA's ability to conduct program evaluation, strengthen program management, evaluate policy alternatives, conduct and evaluate demonstration projects, and advise States in the area of Medicaid financing. The proposed system will be used for purposes of research and statistics only.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a Congressional office from the records of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(2) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

(3) To a State Medicaid agency of a State participating in the Person-Level Medicaid Data System project. Disclosure may be made to a State only of data on eligibles in that State and only for purposes of research and statistics.

(4) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape and computer disk.

Retrievability:

Enrollment records are retrieved by Medicaid and Medicare identification numbers. Provider records are retrieved by Medicaid and Medicare provider identification numbers. Claims records contain both enrollee and provider identification numbers.

Safeguards:

For computerized records, safeguards established in accordance with guidelines in the DHHS ADP Systems Manual, Part 6, "ADP Systems Security," (e.g., security codes, use of passwords) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are maintained in a secure storage area with identifiers as long as needed for program research. Records will be disposed 3 years after research is completed.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 2230, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address shown above and give: (1) Name of system, (2) Medicaid identification number, (3) person's name, (maiden name, if applicable), (4) social security number (provision of social security number is voluntary), (5) address, (6) date of birth, and (7) sex. To ascertain whether the individual had utilization, give date of service and type of Medicaid service (i.e., outpatient, physician, dental, prescription, long-term care, home health, inpatient acute care, etc.).

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents.

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information being contested. State the reason for contesting the records procedure with supporting justification, (e.g., why it is inaccurate, irrelevant, incomplete or not current).

Record source categories:

Medicaid and Medicare enrollment, claims, and provider records.

Systems exempted from certain provisions of the act:

None.

09-70-0034

System name:

Evaluation of Social/Health Maintenance Organization (S/HMO) Demonstrations, HHS/HCFA/ORD.

Security classification:

None.

System location:

To be determined on or about September 1, 1985 by HCFA's selection of an evaluation contractor. Contact the systems manager for the location of the contractor.

Categories of individuals covered by the system:

Medicare beneficiaries residing in the following states and counties who join the social/health maintenance organization demonstrations and comparison group beneficiaries who choose not to enroll: California: Los Angeles, Orange; Minnesota: Hennepin, Ramsey; New York: Bronx, Kings, Queens; Oregon: Multnomah.

Categories of records in the system:

Demographic characteristics (e.g., income, education, source of medical care), factors related to choice of S/HMO, data on satisfaction with S/HMO, data related to use of community-based and institutional long-term care services and informal care-givers; health and functional status assessment data.

Authority for maintenance of the system:

Section 402 of the Social Security Amendments of 1967, Pub. L. 90–248, as amended by section 222(b) of the Social Security Amendments of 1972, Pub. L. 92–603, 42 U.S.C. 1395b–1.

Purpose(s):

To provide data necessary to evaluate HCFA's Social/Health Maintenance Organization demonstration projects, including information to study the impact of the S/HMO on Medicare beneficiaries' use of acute care and long-term care services; health status; choice of the S/HMO option; and satisfaction with the S/HMO alternative.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the evaluation contractor who will use this information to evaluate HCFA's S/HMO demonstration projects.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the containment of costs in the Medicare and/or Medicaid programs if HCFA:

(a) Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

(b) Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring; and

(3) There is reasonable probability that the objective for the use will be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual,

(b) For use in another research project, under these some conditions, and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law:

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

5. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1992. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Sources of information contained in this records system include surveys to be conducted of Medicare beneficiaries and their informal care-givers by HCFA's evaluation contractor.

Systems exempted from certain provisions of the act:

None.

09–70–0035

System name:

Aftercare Evaluation System (AES).

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207, (Contact system manager for location of Magnetic Computerized records). Contractor (see Appendix A).

Categories of individuals covered by the system:

Medicare Beneficiaries.

Categories of records in the system:

The system contains information concerning a patient's name, Health Insurance Claim number, medical diagnosis, conditions, diagnoses and procedures, functional impairments, social and demographic problems in the receipt of services, services (e.g., physical therapy, nursing, meals or wheels), living arrangement (e.g., living alone, with family), and outcomes of aftercare.

Authority for maintenance of the system:

Sections 9305(c), 9305(h), 9305(i), and 9313(d) of Pub. L. 99–509.

Purpose(s):

To assess the adequacy of the amount of care received, and linking adverse outcomes with inadequate care. To evaluate the methodology to assess the risk of inadequate services and adverse outcomes. To describe the problems of receipt of care. To develop preliminary estimate of the incident of high risk patients and incident of receipt of inadequate services and adverse outcomes for use and development of the national sample design.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to:

(1) A contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

(2) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(3) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(4) To an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

(a) Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained.

(b) Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished:

(c) Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit or

(d) When required by law.

(d) Secures a written statement attesting to the information and recipient's understanding of and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are retrieved by the Health Insurance Claim Number.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in contracts related to this system.

d. Implementation Guidelines: Safeguards are implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' Automated Data Processing Manual, Part 6, "ADP System Security."

Retention and disposal:

Records are retained for 5 years after the last action on the record.

System manager(s) and address:

Director, ORD, Health Care Financing Administration, Room 300 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the Health Insurance Claim Number.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e. g., why it is inaccurate, irrelevent, incomplete or not current). (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from the hospital records of which some will be verified by beneficiaries. In addition to these hospital records other information will be obtained from interview with the patients and caregivers.

Systems exempted from certain provisions of the act:

None.

Appendix A

Cyrus Baghelia, System Sciences, Inc., 4330 East-West Highway, Suite 1117, Bethesda, Maryland 20814

George Carcagno, Interprise Business Center, Mathematica Policy Research, 101 Morgan Lane, Plainsboro, New Jersey 08536.

09-70-0036

System name:

Evaluation of Competitive Bidding for Durable Medical Equipment Demonstration.

Security classification:

None.

System location:

Abt Associates, Inc., Suite 500, 4250 Connecticut Avenue, NW, Washington, D.C. 20008

Categories of individuals covered by the system:

Medicare beneficiaries residing in approximately six demonstration sites and three control sites who receive DME services.

Categories of records in the system:

Demographic characteristics (e.g., age, education, income), measures of health and functional status, cost and utilization of health services, and satisfaction with services.

Authority for maintenance of the system:

Section 402 of the Social Security Amendments of 1967, Pub. L. 90-248, as amended by section 222(b) of the Social Security Amendments of 1972, Pub. L. 92-603, 42 U.S.C. 1395b-1.

Purpose(s):

To provide data necessary to evaluate the impact of HCFA's competitive bidding for durable medical equipment demonstration on the cost, utilization, and quality of DME services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the evaluation contractor, to be selected by HCFA, who will use this information to evaluate HCFA's competitive bidding for durable medical equipment demonstration. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof: or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To an individual or organization for a research, demonstration, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privacy Act;

b. Determines that the purpose for which the proposed use is to be made:

(i) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals,

(ii) Is of sufficient importance to warrant the effect on or risk to the privacy of the individual by such limited additional exposure that unauthorized disclosure of the record might bring, and

(iii) There is a reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(i) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(ii) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information, and

(iii) Make no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA.

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, provided information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity, consistent with the purpose of the audit, or

(c) When further approved by HCFA.

d. Secures a written, legally binding statement by the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

5 To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords/keywords are changed as needed.

Contractors who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements. The particular safeguards implemented are developed in accordance with the DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1989. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Information contained in these records is obtained from surveys to be conducted of Medicare beneficiaries by HCFA's evaluation contractor.

Systems exempted from certain provisions of the act:

None.

09-70-0037

System name:

1988 Physician's Practice Costs and Incomes Survey, HHS/HCFA/ORD.

Security classification:

None.

System location:

A Contractor site will be determined when the contract is executed. Contact the Systems Manager for the location of the Contractor.

Categories of individuals covered by the system:

The individuals covered by this system will be a sample of at least 5000 physicians who provide patient care at least 20 hours per week in either an office or hospital based setting, and who live in the 50 United States and the District of Columbia.

Categories of records in the system:

Practice costs (e.g., rent or depreciation for space and equipment, employee salaries and fringe benefits, malpractice insurance, transportation), gross and net income, deferred income and fringe benefits, practice financial arrangements, fees, workloads.

Authority for maintenance of the system:

Section 1845(e)(4)(C)(ii) of the Social Security Act (42 U.S.C. 139w-1(e)(4)(C)(ii)). Section 1842(b)(3) of the Social Security Act (42 U.S.C. 1395u(b)(3)).

Purpose(s):

To provide data required for development of the Geographic Cost of Practice Index and to refine the cost share weights of the Medicare Economic Index.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To contractors for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system. or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or

telecommunications systems containing or supporting records in the system.

2. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by a unique identifier assigned by the contractor to each physician record.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, the contractor will initiate automated processing (ADP) system security procedures required by DHHS ADP Systems Manual, Part 6, ADP Systems (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards. HCFA and other contractors using the data will not be able to identify the individual physicians who participated in the survey.

Retention and disposal:

Hardcopy lists of names and case identification numbers will be retained in secure storage areas. Individual records delivered to HCFA on the final data tape will contain no individual names, and the case identifiers will be different from those used by the contractor. All identifying names and numbers will be stripped from the magnetic tape. Hardcopy lists of names and identifying numbers will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, Room 223, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above and specify name and address.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current.) (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Source of information contained in this record system include data collected from physicians by means of a telephone interview survey. Data will also be provided by the American Medical Association from its master file of physicians in the U.S.

Systems exempted from certain provisions of the act:

None.

09-70-0038

System name:

Evaluation of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) Health Maintenance Organization (HMO) and Competitive Medical Plan (CMP) Program, HHS/HCFA/ORD.

Security classification:

None.

System location:

Contact system manager for location of contractor.

Categories of individuals covered by the system:

Medicare beneficiaries residing in approximately 30 market areas who receive medical services as enrollees in Medicare HMOs and CMPs or through the FFS sector.

Categories of records in the system:

Demographic characteristics (e.g., age, education, income), measures of health and functional status, cost and utilization of health services, and satisfaction with services.

Authority for maintenance of the system:

Section 402 of the Social Security Amendments of 1967, Pub. L. 90–248, as amended by section 222(b) of the Social Security Amendments of 1972, Pub. L. 92–603, (42 U.S.C. 1395ll).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide data necessary to evaluate the impact of the TEFRA HMO and CMP Program on the cost, utilization, and quality of medical services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the evaluation contractor, to be selected by HCFA, who will use this information to evaluate the TEFRA HMO and CMP Program. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

2. To other contractors for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system or for developing, modifying, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

3. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

5. To an individual or organization for research, demonstration, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privacy Act;

b. Determines that the purpose for which the proposed use is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals;

(2) Is of sufficient importance to warrant the effect on or risk to the privacy of the individual by such limited additional exposure that unauthorized disclosure of the record might bring; and

(3) There is a reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(1) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information; and

(3) Make no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA;

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, provided information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity, consistent with the purpose of the audit; or

(c) When further approved by HCFA.

d. Secures a written, legally binding statement by the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords/keywords are changed as needed.

Contractors who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements. The particular safeguards implemented are developed in accordance with the DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers wil be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1992. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelvant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records is obtained from surveys to be conducted of Medicare beneficiaries by HCFA's evaluation contractor.

Systems exempted from certain provisions of the act:

None.

09-70-0039

System name:

Evaluation of the Medicare Alzheimer's Disease Demonstration.

Security classification:

None.

System location:

Evaluation contractor to be selected by HCFA. Contact system's manager for the location of the contractor.

Categories of individuals covered by the system:

Medicare beneficiaries with Alzheimer's disease and related dementias who are participating as a treatment or control group member in one of the 5 to 10 demonstration sites to be chosen under this study. (Information will also be obtained from each participant's informal caregiver(s), but that information will be collected as a part of each participant's record.)

Categories of records in the system:

The system will contain information concerning a participant's name, Health Insurance Claim number, demographic characteristics (e.g., age, education, income), medical diagnoses and conditions, receipt of services, functional status, and cost and utilization of health services. Medical, social, and other information is also expected to be collected from each patient's informal caregiver(s) as part of the participant's record in order to evaluate the impact of the demonstration on caregivers.

Authority for maintenance of the system:

Section 9342 of Pub. L. 99-509, the Omnibus Budget Reconciliation Act of 1986 and 42 U.S.C. 1395b-1 note.

Purpose(s):

To provide data necessary to evaluate the impact of HCFA's Medicare Alzheimer's Disease Demonstration on access, cost, utilization, and quality of services to the participants in this study as well as their informal caregivers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To the evaluation contractor, to be selected by HCFA, who will use this information to evaluate the Medicare Alzheimer's Disease Demonstration. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) The Department of Health and Human Services (HHS), or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components;

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To a contractor for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system, or for developing, modifying and/or manipulating it with ADP software. Data would also be available to users incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

The contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, the contractor will initiate automated data processing (ADP) system security procedures required by HHS ADP Systems Manual, Part 6, "ADP Systems Security" (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. Records will be retained for one year after the termination of the evaluation contract. The disposal techniques of degaussing will be used to strip magnetic tape of all identifying names and numbers. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address indicated above. The requestor must specify the name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought. These procedures are in accordance with Department Regulations 45 CFR 5b.5(a)(2).

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). These procedures are in accordance with Department Regulations 45 CFR 5b.7.

Record source categories:

Sources of information contained in this records system ar expected to include: Data collected from the Medicare claims files; Medicare Statistical Systems; patient intake forms; medical evaluation examinations; physical and mental status assessments; interviews with informal caregivers; and Medicaid claims systems (to the extent that certain participants are also entitled to Medicaid).

Systems exempted from certain provisions of the act:

None.

09–70–0040

System name:

HCFA Medicare Heart Transplant Data File, HHS/HCFA/BDMS.

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207. (Contact system manager for location of magnetic computerized records.)

Categories of individuals covered by the system:

Medicare and non-Medicare heart transplant recipients and donors.

Categories of records in the system:

The system contains individual's name, health insurance claim number or social security number (SSN), demographic and utilization information under the Medicare program, and clinical information such as the etiology of the heart disease, medical history and/or current findings, pre-transplant laboratory data, date of transplant, complications, immunosuppressive protocol, date and cause of death, and readmissions.

Authority for maintenance of the system:

Section 1875 of the Social Security Act (42 U.S.C. 1395 II), as amended.

Purpose(s):

To collect data on heart transplants of Medicare and non-Medicare recipients and donors in order to evaluate the Medicare criteria for facilities, on patient selection, heart transplant facility experience levels, and patient outcomes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

1. The Organ Procurement and Transplantation Network (OPTN), established in accordance with section 372 of the Public Health Service Act (42 U.S.C. 274);

2. A contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system;

3. A Congressional office from the records of an individual in response to an inquiry from the Congressional office at the request of the individual;

4. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity (when the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee); or

d. The United States or any agency thereof (when HHS determines that the litigation is likely to affect HHS or any of its components),

Is a party to litigation or has interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

5. Organizations deemed qualified by the Health Care Financing Administration to carry out quality assessment, medical audits, or utilization review;

6. To a recipient for a research project, if HCFA:

a. Determines that the use of disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the research purpose for which the disclosure is to be made: (1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

c. Requires the recipient to: (1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and (3) makes no further use or disclosure of the record except: (a) In emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;

d. Secure a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are retrieved by the Health Insurance Claim Number or SSN.

Safeguards:

a. Authorized Users: Agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is in contracts related to this system.

d. Implementation Guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and

Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' automated Data Processing Manual, Part 6, "ADP System Security."

Retention and disposal:

Records are retained for 5 years after the last action on the record.

System manager(s) and address:

Director, BDMS, Health Care Financing Administration, 1–E–9 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the health insurance claim number or SSN.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from the hospital records or directly from the individuals. In addition to these hospital records, other information will be obtained from interviews with the patients and caregivers.

Systems exempted from certain provisions of the act:

None.

09–70–0041

System name:

Evaluation of the OBRA 87 Medicare Payment of Influenza Vaccination Demonstration.

Security classification:

None.

System location:

Abt Associates, Inc., 55 Wheeler Street, Cambridge, MA 02138.

Categories of individuals covered by the system:

Medicare beneficiaries in demonstration areas and in comparison sites. Areas participating in the demonstration are selected through a competitive grant process.

Categories of records in the system:

Name; health insurance claim number; address; cost and utilization of health services; diagnosis; previous influenza vaccination status; surveillance and virologic testing of hospitalized cases of influenza.

Authority for maintenance of the system:

Section 4071 of the Omnibus Budget Reconciliation Act of 1987 (OBRA 87), Pub. L. 100–203.

Purpose(s):

To provide data necessary to evaluate the impact of the OBRA 1987 Influenza Vaccination Demonstration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To other contractors for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ACP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system

2. To a congressional office, form the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To an individual or organization for research, demonstration, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privacy Act;

b. Determines that the purpose for which the proposed use is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals;

(2) Is of sufficient importance to warrant the effect on or risk to the privacy of the individual by such limited additional exposure that unauthorized disclosure of the record might bring; and

(3) There is a reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(1) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the ndividual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information; and

(3) Make no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA;

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, provided information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity, consistent with the purpose of the audit; or

(c) When further approved by HCFA.

d. Secures a written, legally binding statement by the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape, and floppy diskettes.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords/keywords/numbers are changed as needed.

Contractors who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements. The particular safeguards implemented are developed in accordance with the HHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape and floppy diskettes of all identifying names and numbers in June 1993. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with DHHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records is obtained from HCFA's existing system of records, prescription forms from demonstration providers, and information directly from participants.

Systems exempted from certain provisions of the act:

None.

09-70-0042

System name:

Medicare-Cancer Registry Record System, HHS/HCFA/ORD.

Security classification:

None.

System location:

Office of Statistics and Data Management, BDMS, HCFA 6325 Security Boulevard Baltimore Maryland 21207

Categories of individuals covered by the system:

Medicare beneficiaries diagnosed with cancer in 11 geographic areas of the United States.

Categories of records in the system:

Data from 11 Surveillance, Epidemiology, and End Results (SEER) program cancer registries linked with Medicare enrollment and claims data. The areas covered by the 11 registries are Iowa, Utah, Hawaii, New Mexico, Connecticut, New Jersey, Puerto Rico, San Francisco-Oakland, Atlanta, Detroit, and Seattle.

Authority for maintenance of the system:

Section 1875(a) of the Social Security Act (42 U.S.C. 139511(a)) and Sections 301 and 410–416 of the Public Health Service Act (42 U.S.C. 241 and 281-285a-5).

Purpose(s):

To study the use of health care services by Medicare beneficiaries with cancer. Treatment costs by cancer site, stage at diagnosis, and comorbidities will be examined. The proposed system will be used for purposes of research and statistics only.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a Congressional office from the records of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(2) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(3) To an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health or the use of health services, if HCFA and NCI:

(a) Determine that the use of disclosure does not violate legal limitations under which record was provided, collected, or obtained.

(b) Determine that the purpose for which the disclosure is to be made:

1. Cannot be reasonably accomplished unless the record is provided in individually identifiable form;

2. Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring; and

3. There is reasonable probability that the objective for the use would be accomplished.

(c) Require the information recipient to:

1. Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record; and

2. Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature for retaining such information; and

3. Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another research project, under these same conditions, and with written authorization of HCFA and NCI;

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

(d) When required by law.

(d) Secure a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(4) To the individual registries participating in the SEER program for purposes of analyzing records in the system. Relevant records will be disclosed to the registries only for purposes of research and evaluation. Only records on individuals in a particular registry will be disclosed to that registry.

(5) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employees in his or her individual capacity where the Department of Justice (or HHS where it is authorized to so so) has agreed to represent the employee; or

(d) The United States or any agency thereof, where HHS determines that the litigation is likely to affect HHS or any of its components;

is a party to litigation or has interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape and computer disk.

Retrievability:

Records will be retrieved by Medicare identification numbers. Safeguards: For computerized records, safeguards established in accordance with guidelines in the DHHS Systems Manual, Part 6 "ADP Systems Security", (e.g., security codes, use of passwords) will be used, limiting access to authorized personnel.

Safeguards:

For computerized records, safeguards established in accordance with guidelines in the DHHS ADP Systems Manual, Part 6, "ADP Systems Security," (e.g., security codes, use of passworks) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are maintained in a secure storage area with identifiers as long as needed for program research. Records will be disposed 3 years after research is completed.

System manager(s) and address:

Director, Bureau of Data Management and Strategy. Health Care Financing Administration, 1-E-9 Oak Meadows Bldg., 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address shown above and give (1) name of system, (2) Medicare identification number, (3) person's name, and (4) address.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents.

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record and specify the information being contested. State the reason for contesting the records procedures with supporting justification, (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Surveillance, Epidemiology, and End Results (SEER) program cancer registry records and Medicare enrollment and claims files.

Systems exempted from certain provisions of the act:

None.

09-70-0043

System name:

Evaluation of the OBRA 87 Medicare Payment for Therapeutic Shoes for Individuals with Severe Diabetic Foot Disease Demonstration, HHS/HCFA/ORD.

Security classification:

None.

System location:

Mathematica Policy Research, Inc., P.O. Box 2393, Princeton, New Jersey 08543-2393.

Categories of individuals covered by the system:

A sample of Medicare beneficiaries with severe diabetic foot disease who are at high risk of lower extremity amputations.

Categories of records in the system:

Name; health insurance claim number; address; cost and utilization of health services; diagnosis; previous use of therapeutic shoes.

Authority for maintenance of the system:

Section 4072 of the Omnibus Budget Reconciliation Act of 1987, Pub. L. 100-203.

Purpose(s):

To provide data necessary to evaluate the impact of the OBRA 1987 Therapeutic Shoes Demonstration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To other contractors for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system or for developing, modifying, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To an individual or organization for research, demonstration, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privacy Act;

b. Determines that the purpose for which the proposed use is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals;

(2) Is of sufficient importance to warrant the effect on or risk to the privacy of the individual by such limited additional exposure that unauthorized disclosure of the record might bring; and

(3) There is a reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(1) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclose of the record;

(2) Remove or destroy the information that allows the individuals to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information; and

(3) Make no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA;

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, provided information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity, consistent with the purpose of the audit; or

(c) When further approved by HCFA.

d. Secures a written, legally binding statement by the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords/keywords are changed as needed.

Contractors who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements. The particular safeguards implemented are developed in accordance with the DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in June 1993. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above and reasonably idenify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records is obtained from HCFA's existing system of records, prescription forms from demonstration providers, and information directly from participants.

Systems exempted from certain provisions of the act:

None.

09–70–0044

System name:

Demonstration and Evaluation of the Medicare Insured Group (MIG) Model.

Security classification:

None.

System location:

Contact system manager for location of contractor.

Categories of individuals covered by the system:

Medicare beneficiaries residing in three demonstration sites and three control sites who receive medical services as enrollees in Medicare MIGs, through HMOs/CMPs, or through the fee-for-service sector.

Categories of records in the system:

Demographic characteristics (e.g., age, education, income), measures of health and functional status, cost and utilization of health services, and satisfaction with services.

Authority for maintenance of the system:

Section 4015 of the Omnibus Budget Reconciliation Act of 1987.

Purpose(s):

To provide data necessary to develop and evaluate the impact of the MIG concept on the cost, utilization, and quality of medical services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To contractors for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system or for developing, modifing, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

Is a party to litigation or has an inteest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. To an individual or organization for research, demonstration, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privacy Act;

b. Determines that the purpose for which the proposed use is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals;

(2) Is of sufficient importance to warrant the effect on or risk to the privacy of the individual by such limited additional exposure that unauthorized disclosure of the record might bring; and

(3) There is reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(1) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information; and

(3) Make no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA;

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, provided information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity, consistent with the purpose of the audit; or

(c) When further approved by HCFA.

d. Secures a written, legally binding statement by the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name and health insurance claim number.

Safeguards:

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords/keywords are changed as needed.

Contractors who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements. The particular safeguards implemented are developed in accordance with the HHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1992. Hardcopy records will be destroyed at this time.

System manager(s) and address:

Director, Office of Research and Demonstrations, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specify name, address, and health insurance number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested state the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records is to be obtained from surveys to be conducted of Medicare beneficiaries by HCFA's contractor, claims information in employers' supplemental files, and other existing HCFA systems of records.

Systems exempted from certain provisions of the act:

None.

09–70–0045

System name:

Evaluation of the Arizona Health Care Cost Containment and Long Term Care Systems Demonstration.

Security classification:

None.

System location:

Contact system manager for location of contractor. See "System Manager(s) and Address" for system manager location.

Categories of individuals covered by the system:

Persons residing in Arizona who qualify for medical assistance under the Aid to Families with Dependent Children (AFDC), or the Supplemental Security Income (SSI) programs, and a sample of persons in these programs in another state(s) chosen for comparison with Arizona.

Categories of records in the system:

Records in the system will contain information taken from the preadmission screening instrument, including beneficiary name, address, age, social security and Medicare numbers, demographic data, social worker assessment, available social supports and services, medical conditions, history and treatments, and a cost-effectiveness analysis of proposed treatment. The system will also include information on past encounters with AHCCCS facilities, visit types (inpatient or outpatient), the type of facility visited, and the nature of the health resources utilized. During this project, approval for a beneficiary survey may be requested, in accordance with the Paperwork Reduction Act and 5 CFR Part 1320. Data from such a survey would be included in the proposed system of records. In additon, data from a previous beneficiary survey approved by the Office of Management and Budget (OMB), "Evaluation of Arizona Health Care Cost Containment System", HCFA-386, OMB Number 0938-0281, may be included in the proposed system of records.

Authority for maintenance of the system:

Section 1115 Waiver authority of Title XIX (Medicaid) requirements under which the AHCCCS program is operated.

Purpose(s):

The primary objective of the AHCCCS demonstration is to assess the merits of providing medical care to indigent persons on a capitated basis, compared to a traditional fee-for-service system. This system of records will be used to study and evaluate the performance of the AHCCCS demonstration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To contractor(s) for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in the system or for developing, modifying, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance of an ADP or telecommunications system containing or supporting records in the system.

2. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purposes for which the records were collected.

4. To an individual or organization for research, demonstration, evaluation, or epidemiological study related to the prevention of disease or disability, the restoration or maintenance of health, or the efficacy or efficiency of HCFA programs if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained, including such limitations as may be imposed or provided under the Privayc Act;

b. Determines that the purpose for which the proposed use is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in a format that identifies individuals;

(2) Is of sufficient importance to warrant the effect on or risk to the privacy or the individual by such limited additonal exposure that unauthorized disclosure of the record might bring; and

(3) There is a reasonable probability that the objective of the use will be accomplished;

c. Requires the recipient of the information to:

(1) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that is justified based on research objectives for retaining such information; and

(3) Makes no further use of the record except:

(a) For use in emergency circumstances affecting the health or safety of any individual following written authorization of HCFA.

(b) For disclosure to a person, identified in advance by HCFA, for the purpose of conducting an audit of the research project, providing information which would identify research subjects is destroyed by the person authorized to conduct the audit at the earliest opportunity consistent with the purpose of the audit; or

(c) when further approved by HCFA.

d. Secures a written, legally binding statement from the recipient of the information attesting that the recipient understands the provisions of paragraph 4(c) and all terms and conditions of the Privacy Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary's name, health insurance claim, or social security number.

Safeguards:

Employees who maintain records in this system will be instructed to grant access only to authorized users. Data stored in computers will be accessed through the use of passwords, keywords, numbers, or some combination thereof known only to the authorized personnel. These passwords, keywords or numbers will be changed as needed.

Contractors who maintain records in this system will be instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. (See title and business address of responsible agency official under "System Manager(s) and Address".) Privacy Act requirements will be specifically included in contracts related to this system. The project officer and contract officer will oversee compliance with these requirements. The particular safeguards implemented will be developed in accordance with the HHS Information Resource Manual (IRM), Part 6, "Systems Security Policies" (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hardcopy data collection forms and magnetic tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers by December 2003, ten years after project completion. Hardcopy records will also be destroyed by that time.

System manager(s) and address:

The responsible agency official (System Manager) is the Director, Office of Research and Demonstrations. The address is the Health Care Financing Administration, Room 2230, Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above, specifying name, address, and health insurance claim or social security number.

Record access procedures:

Same as notification procedures. Requesters should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting the record (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records will be obtained from encounter records provided by the AHCCCS administrator, from AHCCCS beneficiary surveys conducted by HCFA's evaluation contractor, and from existing HCFA Medicare record systems.

Systems exempted from certain provisions of the act:

None.

09–70–0046

System name:

Home Health Quality Indicator System (HHQUIS).

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207. (Contact system manager for location of Magnetic Computerized records). Contractor (see Appendix A).

Categories of individuals covered by the system:

Medicare Beneficiaries.

Categories of records in the system:

The system contains information concerning the patient's name, Health Insurance Claim number, medical diagnoses, surgical procedures, conditions, problems, functional status, living arrangement, utilization of services, outcomes of care.

Authority for maintenance of the system:

Section 207 of Pub. L. 100–360.

Purpose(s):

To assess the quality of Medicare home health care. To determine the appropriate balance between outcome, process, and structural measures for quality assurance purposes. To develop outcome-based measures of home health care quality that are reliable and valid. To evaluate the differential impacts of various types of outcome measures on the data collection and administrative costs for HCFA and home health agencies. To determine how differences in patient outcomes are related to differences in patient characteristics, and how case mix differences can be recognized in outcome-based quality indicators.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to:

1. A contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

2. A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

3. The Department of Justice, to a court or other tribunal, or to another party before such a tribunal, when

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components;

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained.

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that an additional exposure of the record might bring; and

(3) There is reasonable probability that the objective for the use would be accomplished.

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another research project, under these same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

(d) When required by law.

d. Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are retrieved by the Health Insurance Claim Number.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of the criminal sanctions for unauthorized disclosure information.

b. Physical safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Contracts related to this system contain Privacy Act language.

d. Implementation Guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' automated Data Processing Manual, part 6, "ADP System Security."

Retention and disposal:

Records are retained for 5 years after the last action on the record.

System manager(s) and address:

Director, ORD, Health Care Financing Administration, 2230 Oak Meadows Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the Health Insurance Claim Number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete or not current). (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from the home health patient records of which some will be verified by beneficiaries. In addition to these patient records other information will be obtained from interview with the patients and caregivers.

Systems exempted from certain provisions of the act:

None.

Appendix A

Policy Center, Inc., 1355 South Colorado Blvd., Suite 706, Denver, CO 80222.

09-70-0501

System name:

Carrier Medicare Claims Records, HHS/HCFA/BPO.

Security classification:

None.

System location:

Carriers under contract to the Health Care Financing Administration and the Social Security Administration (see Appendix A, Section 4).

Federal Records Centers.

Bureau of Quality Control, HCFA Office of Systems Analysis, 6325 Security Boulevard, Baltimore, Maryland 21207.

HHS Parklawn Computer Center, 5600 Fishers Lane, Rockville, Maryland 20857.

Categories of individuals covered by the system:

Beneficiaries who have submitted claims for Supplementary Medical Insurance (Medicare Part B), or are eligible, or individuals whose enrollment in an employer group health benefits plan covers the beneficiary.

Categories of records in the system:

Request for Payment: Provider Billing for Patient services by Physician; Prepayment Plan for Group Medicare Practices dealing through a Carrier, Health Insurance Claim Form, Request for Medical Payment, Patient's Request for Medicare Payment, Request for Medicare Payment—Ambulance, Explanation of Benefits, Summary Payment Voucher, Request for Claim Number Verification; Payment Record Transmittal; Statement of Person Regarding Medicare Payment for Medical Services Furnished Deceased Patient; Report of Prior Period of Entitlement; itemized bills and other similar documents from beneficiaries required to support payments to beneficiaries and to physicians and other suppliers of part B Medicare services; medicare secondary payer records containing other party liability insurance information necessary for appropriate Medicare claim payment.

Authority for maintenance of the system:

Sections 1842, 1862(b) and 1874 of title XVIII of the Social Security Act (42 U.S.C. 1395u, 1395y(b) and 1395kk).

Purpose(s):

To properly pay medical insurance benefits to or on behalf of entitled beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to: (1) Claimants, their authorized representatives or representatives payees to the extent necessary to pursue claims made under title XVIII of the Social Security Act (Medicare)

(2) Third-party contacts (without the consent of the individuals to whom the information pertains) in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage his or her affairs or to his or her eligibility for or entitlement to benefits under the Medicare program when:

(a) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: Individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following; the individual's eligibility to benefits under the Medicare program: The amount of reimbursement: Any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of system activities.

(3) Third-party contacts where necessary to establish or verify information provided by representative payees or payee applicants.

(4) The Treasury Department for investigating alleged theft, forgery, or unlawful negotiation of Medicare reimbursement checks.

(5) The U.S Postal Service for investigating alleged forgery or theft of Medicare checks.

(6) The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

(7) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

(8) Professional Review Organizations in connection with their review of claims, or in connection with studies or other review activities, conducted pursuant to Part B of title XI of the Social Security Act.

(9) State Licensing Boards for review of unethical practices of nonprofessional conduct.

(10) Providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries or carriers, for administration of provisions of title XVIII.

(11) An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use of disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished:

(c) Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law;

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(12) State welfare departments pursuant to agreements with the Department of Health and Human Services for administration of State supplementation payments for determinations of eligibility for Medicaid, for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act, for quality control studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(13) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(14) State audit agencies in connection with the audit of Medicare eligibility considerations. Disclosures of physicians' customary charge data are made to State audit agencies in order to ascertain the correctness of title XIX charges and payments.

(15) The Department of Justice to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereon; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and

HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(16) Peer review groups, consisting of members of State, County, or local medical societies or medical care foundations (physicians), appointed by the medical society or foundation at the request of the carrier to assist in the resolution of questions of medical necessity, utilization of particular procedures or practices, or overutilization of services with respect to Medicare claims submitted to the carrier.

(17) Physicians and other supplies of services who are attempting to validate individual items on which the amounts include in the annual Physician/Supplier Payment List or similar publications are based.

(18) Senior citizen volunteers working in intermediaries' and carriers' offices to assist Medicare beneficiaries in response to beneficiaries' requests for assistance.

(19) A contractor working with Medicare carriers/intermediaries to identify and recover erroneous Medicare payments for which workers' compensation programs are liable.

(20) State and other governmental Workers' Compensation Agencies working with the Health Care Financing Administration to assure that workers' compensation payments are made where Medicare has erroneously paid and workers' compensation programs are liable.

(21) Release information, without the beneficiary's authorization, to insurance companies, self-insurers, Health Maintenance Organizations, multiple employer trusts and other groups providing protection against medical expenses of their enrollees. Information to be disclosed shall be limited to Medicare entitlements data. In order to receive the information the entity must agree to the following conditions:

a. To certify that the individual on whom the information is being provided is one of its insureds;

b. To utilize the information solely for the purpose of processing the identified individual's insurance claims; and

c. To safeguard the confidentiality of the data and to prevent unauthorized access to it.

(22) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(23) To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

a. Determines that the use of disclosure does not violate legal limitations under which the data were provided, collected, or obtained;

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made;

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individuals that additional exposure of the record might bring, and;

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following:

(1) Not to use the data for purpose that are not related to the evaluation of cost, quality and effectiveness of care;

(2) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(3) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

(24) To insurers, underwriters, third party administrators, self-insurers, group health plans, employers, health maintenance organizations, health and welfare benefit funds, Federal agencies, a State or local government or political subdivision of either (when the organization has assumed the role of an insurer, underwriter, or third party administrator, or in the case of a State that assumes the liabilities of an insolvent insurer, through a State created insolvent insurer pool or fund), multiple-employer trusts, no-fault, medical, automobile insurers, workers' compensation carriers or plans, liability insurers, and other groups providing protection against medical expenses who are primary payers to Medicare in accordance with 42 U.S.C. 1395y(b), or any entity having knowledge of the occurrence of any event affecting (A) an individual's right to any such benefit or payment, or (B) the initial or continued right to any such benefit or payment (for example, a State Medicaid Agency, State Workers' Compensation Board, or Department of Motor Vehicles) for the purpose of coordination of benefits with the Medicare program and implementation of the Medicare Secondary Payer provisions at 42 U.S.C. 1395y(b). The information HCFA may disclose will be:

- Beneficiary Name
- Beneficiary Address
- Beneficiary Health Insurance Claim Number
- Beneficiary Social Security Number
- Beneficiary Sex
- Beneficiary Date of Birth
- Amount of Medicare Conditional Payment

To administer the Medicare Secondary payer provisions at 42 U.S.C. 1395y(b)(2), (3), (4) more effectively, HCFA would receive (to the extent that it is available) and may disclose the following types of information from insurers, underwriters, third party administrators, self-insureds, etc.:

- Subscriber Name and Address
- Subscriber Date of Birth
- Subscriber Social Security Number
- Dependent Name
- Dependent Date of Birth
- Dependent Social Security Number
- Dependent Relationship to Subscriber
- Insurer/Underwriter/TPA Name and Address
- Insurer/Underwriter/TPA Group Number
- Insurer/Underwriter/TPA Group Name
- Prescription Drug Coverage
- Policy Number
- Effective Date of Coverage
- Employer Name, Employer Identification Number (EIN) and Address
- Employment Status
- Amounts of Payment

To administer the Medicare Secondary payer provision at 42 U.S.C. 1395y(b)(1) more effectively for entities such as Workers Compensation carriers or boards, liability insurers, no-fault and automobile medical policies or plans, HCFA would receive (to the extent that it is available) and may disclose the following information:

- Beneficiary's Name and Address
- Beneficiary's Date of Birth
- Beneficiary's Social Security Number*
- Name of Insured *
- Insurer Name and Address
- Type of coverage; automobile medical, no-fault, liability payment, or workers' compensation settlement.
- Insured's Policy Number
- Effective Date of Coverage
- Date of accident, injury or illness
- Amount of payment under liability, no-fault, or automobile medical policies, plans, and workers compensation settlements.
- Employer Name and Address (Workers' Compensation only)

* Name of insured could be the driver of the car, a business, the beneficiary (i.e., the name of the individual or entity which carries the insurance policy or plan).

In order to receive this information the entity must agree to the following conditions:

a. To utilize the information solely for the purpose of coordination of benefits with the Medicare program in accordance with 42 U.S.C. 1395y(b);

b. To safeguard the confidentiality of the data and to prevent unauthorized access to it;

c. To prohibit the use of beneficiary-specific data for purposes other than for the coordination of benefits between the recipient organization and the Medicare program. The agreement would allow the entities to use the information to determine cases where they have primary responsibility for payment or cases where Medicare has primary responsibility for payment. Examples of prohibited uses would include but are not limited to: Creation of a mailing list, sale or transfer of data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained on paper, tape, disc, and punchcards.

Retrievability:

System is indexed by health insurance claim number. The record is prepared by the beneficiary and is used by carriers to determine amount of Part B benefits. The bills are retained by the carriers.

Safeguards:

Unauthorized personnel are denied access to the records area. Disclosure is limited. Physical safeguards related to the transmission and reception of data between Rockville and Baltimore are those requirements established by the DHHS ADP Systems Manual, Part 6.

Retention and disposal:

Records are closed at the end of the calendar year in which paid, held two additional years, transferred to Federal Records Center and destroyed after another 2 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Carrier Procedures, 6325 Security Boulevard, Baltimore, Md 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the most convenient social security office, the appropriate carrier, the HCFA Regional Office, or to the system manager named above. The individual should furnish his or her health insurance claim number and the name as shown on social security records. An individual who requests notification of or access to a medical record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the records contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

The data contained in these records is either furnished by the individual or, in the case of some Medicare secondary payer situations, through third party contacts. In most cases, the identifying information is provided to the physician by the individual. The physician then adds the medical information and submits the bill to the carrier for payment.

Systems exempted from certain provisions of the act:

None.

Appendix A—Medicare Carriers

Medicare Coordinator, Blue Cross and Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Vice President for Medicare and Medical Services, Arkansas Blue Cross and Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, California Physicians Service, (d/b/a Blue Shield of California), P.O. Box 7013, No. 2 Northpoint, San Francisco, California 94120

Medicare Coordinator, Transamerica Occidential Life Insurance Company, P.O. Box 54905 Terminal Annex, Los Angeles, California 90054

Assistant Vice President, Rocky Mountain Hospital and Medical Service, (d/b/a Blue Cross and Blue Shield of Colorado), 700 Broadway, Denver, Colorado 80273

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06183

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross and Blue Shield of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32231

Health Care Service Corporation, 233 North Michigan Avenue, Chicago, Illinois 60601

Associated Insurance Companies, Inc., (d/b/a Blue Cross and Blue Shield of Indiana), 8320 Craig Street, Suite 10, Indianapolis, Indiana 46250–0453

Assistant Executive Director, Blue Shield of Iowa, Ruan Building, 636 Grand Avenue Station 28, Des Moines, Iowa 50309

Medicare Assistant, Blue Cross and Blue Shield of Kansas, Inc., P.O. Box 239, Topeka, Kansas 66601

Blue Cross and Blue Shield of Kentucky, Inc., 100 East Vine Street, 6th Floor, Lexington, Kentucky 40517

Medicare Coordinator, Blue Cross and Blue Shield of Maryland, Inc., 700 E. Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator Part B, Blue Shield of Massachusetts, Inc., 100 Summer Street, Boston, Massachusetts 02110

Assistant Vice President Government, Affairs Department, Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Blue Cross and Blue Shield of Minnesota, P.O. Box 64357, 3535 Blue Cross Road, St. Paul, Minnesota 55164

Vice President Government Programs, Blue Cross and Blue Shield of Kansas City, P.O. Box 169, Kansas City, Missouri 64141

Director, Medicare Administration, General American Life Insurance Co., P.O. Box 505, St. Louis, Missouri 63166

Blue Cross and Blue Shield of Montana, Inc., P.O. Box 4309, 404 Fuller Avenue, Helena, Montana 59601

Medicare Coordinator, Prudential Insurance Co. of America, Tri-City Office Drawer 471, Millville, New Jersey 08332

Director of Medicare Part B, Blue Shield of Western New York, Inc., 298 Main Street, Buffalo, New York 14202

Medicare Coordinator, Group Health Insurance, Inc., 330 West 42nd Street, New York, New York 10036

Medicare Coordinator, Empire Blue Cross and Blue Shield, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, EQUICOR, Inc., 1285 Avenue of the Americas, New York, New York 10019

Medicare Coordinator, Blue Cross and Blue Shield of North Dakota, 4510 13th Avenue, S.W., Fargo, North Dakota 58121

Medicare System and Processing Division, Nationwide Mutual Insurance Company, P.O. Box 16788, Columbus, Ohio 43216

Medicare Coordinator, Pennsylvania Blue Shield, P.O. Box 65, Camp Hill, Pennsylvania 17011

Chief, Internal Operations, Sequros de Servicio de Salud de Puerto Rico, Inc., G.P.O. Box 3628, San Juan, Puerto Rico, 00936–3628

Medicare Coordinator, Blue Cross and Blue Shield of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross and Blue Shield of South Carolina, Fontaine Business Center, 300 Arbor Lake Drive, Suite 1300, Columbia, South Carolina 29223

Blue Cross and Blue Shield of Texas, Inc., 901 South Central Expressway, P.O. Box 833815, Richardson, Texas 75083–3815

Manager, Part B, Blue Cross and Blue Shield of Utah, P.O. Box 30270, 2455 Parley's Way, Salt Lake City, Utah 84130

Assistant Administrator, Washington Physicians Service, 4th and Battery Building, 2401 4th Avenue, 6th Floor, Seattle, Washington 98121

Director, Medicare Claims Department, Wisconsin Physicians' Service Insurance, Corp., 1717 West Broadway, Monona, Wisconsin 54713

09-70-0502

System name:

Health Insurance Master Record, HHS/HCFA/BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Data Management and Strategy, 6325 Security Blvd., Baltimore, Md. 21207.

Federal Records Centers

Categories of individuals covered by the system:

Individuals age 65 or over who have been, or currently are, entitled to health insurance (Medicare) benefits under title XVIII of the Social Security Act; individuals under age 65 who have been, or currently are, entitled to such benefits on the basis of having been entitled for not less than 24 months to disability benefits under title II of the Act or under the Railroad Retirement Act and individuals who have been, or currently are, entitled to such benefits because they have end-stage renal disease; or individuals whose enrollment in an employer group health benefits plan covers the beneficiary.

Categories of records in the system:

The system contains information on enrollment, entitlement, utilization, query and reply activity, health insurance bill and payment record processing workers' compensation entitlement information, and entitlement information from the Veterans Administration (VA), Health Insurance Master Record maintenance, and Medicare secondary payer records containing other party liability insurance information necessary for appropriate Medicare claim payment.

Authority for maintenance of the system:

Sections 1814, 1833 and 1862(b) of title XVIII of the Social Security Act (42 U.S.C. 1396f, 1395l and 1395y(b)).

Purpose(s):

To maintain information on Medicare beneficiary eligibility and costs in order to reply to inquiries from contractors and intermediaries and to maintain utilization data for health insurance bill and payment record processing.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

(1) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Act relating to railroad employment.

(2) State Welfare Department pursuant to agreements with the Depoartment of Health and Human Services for determining Medicaid and Medicare eligibility for quality control studies, for determining eligibility of recipients of assistance under title IV, XVIII, and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(3) State audit agencies for auditing State Medicaid eligibility considerations.

(4) Providers and suppliers of services directly or dealing through fiscal intermediaries or carriers for administration of title XVIII.

(5) A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(6) An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use of disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose of which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished:

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law:

d. Secures a written statement attesting to the information recipient(s) understanding of and willingness to abide by these provisions.

(7) The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(8) To a contractor when the Department contracts with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(8) State welfare agencies that require access to the two files which are extracted from the Health Insurance Master Record. These files are the Carrier Alphabetical State File (CASF) and Beneficiary State File (BEST). Most State agencies require access to the CASF and BEST files for improved administration of the Medicaid program. Routine uses of the CASF and BEST files for State agencies are: (a) Obtaining a beneficiary's correct health insurance claim number and (b) screening of prepayment and post-payment Medicaid claims.

(10) Third-party contacts (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have information relating to the individual's capability or manage his or her affairs or to his or her eligibility for an entitlement to benefits under the Medicare program when:

(a) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: Individuals is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual): or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: The individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of system activities.

(11) Release information, without the beneficairy's authorization, to insurance companies, self-insurers, Health Maintenance Organizations, multiple employer trusts and other groups providing protection against medical expenses of their enrollees. Information to be disclosed shall be limited to Medicare entitlement data. In order to receive this information the entity must agree to the following conditions:

a. To certify that the individual about whom the information is being provided is one of its insureds:

b. To utilize the information solely for the purpose of processing the identified individual's insurance claims; and

c. To safeguard the confidentiality of the data and to prevent unauthorized access to it.

(12) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors, incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(13) To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained:

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made;

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individuals that additional exposure of the record might bring, and;

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except;

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subject to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of an willingness to abide by these provisions. The recipient must agree to the following:

(1) Not to use the data for purposes that are not related to the evaluation of cost, quality, and effectiveness of care;

(2) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(3) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

(14) To a group health plan (i.e., health maintenance organization (HMO), or a competitive medical plans (CMP) with a Medicare contract, or a Medicare-approved health care prepayment plan (HCPP), directly or through a contractor on a case-by-case basis for the purpose of determining the eligibility of a Medicare beneficiary to enroll in the group health plan. Group health plans will have access only to one record at a time and only through a CRT terminal. A password must be entered to gain access to the file. Both the beneficiary name and the Health Insurance Claim number must be entered to access individual records within the file. The information disclosed will be the minimum necessary to determine eligibility for enrollment.

(15) To a contractor when HCFA contracts with a private firm for the purpose of refining or otherwise processing data and disclosing such data to group health plans consistent with routine use No. 14. The contractor will be required to safeguard the confidentiality of the data and prevent unauthorized use or disclosure.

(16) To insurers, underwriters, third party administrators, self-insurers, group health plans, employers, health maintenance organizations, health and welfare benefit funds, Federal agencies, a State or local government or political subdivision of either (when the organization has asumed the role of an insurer, underwriter, or third party administrator, or in the case of a State that assumes the liabilities of an insolvent insurer, through a State created insolvent insurer pool or fund), multiple-employer trusts, no-fault, medical, automobile insurers, workers' compensation carriers or plans, liability insurers, and other groups providing protection against medical expenses who are primary payers to Medicare in accordance with 42 USC 1395y(b), or any entity having knowledge of the occurrence of any event affecting (A) an individual's right to any such benefit or payment, or (B) the initial or continued right to any such benefit or payment (for example, a State Medicaid Agency, State Workers' Compensation Board, or Department of Motor Vehicles) for the purpose of coordination of benefits with the Medicare program and implementation of the Medicare Secondary Payer provisions at 42 USC 1395y(b). The information HCFA may disclose will be:

- Beneficiary Name
- Beneficiary Address
- Beneficiary Health Insurance Claim Number
- Beneficiary Social Security Number
- Beneficiary Sex
- Beneficiary Date of Birth
- Amount of Medicare Conditional Payment

To administer the Medicare Secondary payer provisions at 42 U.S.C. 1395y(b) (2), (3), (4) more effectively, HCFA would receive (to the extent that it is available) and may disclose the following types of information from insurers, underwriters, third party administrators, self-insureds, etc.:

- Subscriber Name and Address
- Subscriber Date of Birth
- Subscriber Social Security Number
- Dependent Name
- Dependent Date of Birth
- Dependent Social Security Number
- Dependent Relationship to Subscriber
- Insurer/Underwriter/TPA Name and Address
- Insurer/Underwriter/TPA Group Number
- Insurer/Underwriter/TPA Group Name
- Prescription Drug Coverage
- Policy Number
- Effective Date of Coverage
- Employer Name, Employer Identification Number (EIN) and Address
- Employment Status
- Amounts of Payment

To administer the Medicare Secondary payer provision at 42 U.S.C. 1395y(b)(1) more effectively for entities such as Workers Compensation carriers or boards, liability insurers, no-fault and automobile medical policies or plans, HCFA would receive (to the extent that it is available) and may disclose the following information:

- Beneficiary's Name and Address
- Beneficiary's Date of Birth
- Social Security Number*
- Name of Insured*
- Insurer Name and Address
- Type of coverage; automobile medical, no-fault, liability payment, or workers' compensation settlement
- Insured's Policy Number
- Effective Date of Coverage
- Date of accident, injury or illness
- Amount of payment under liability, no-fault, or automobile medical policies, plans, and workers' compensation settlements
- Employer Name and Address (Workers' Compensation only)

* Name of insured could be the driver of the car, a business, the beneficiary (i.e., the name of the individual or entity which carries the insurance policy or plan).

In order to receive this information the entity must agree to the following conditions:

a. To utilize the information solely for the purpose of coordination of benefits with the Medicare program in accordance with 42 U.S.C. 1395y(b);

b. To safeguard the confidentiality of the data and to prevent unauthorized access to it;

c. To prohibit the use of beneficiary-specific data for purposes other than for the coordination of benefits between the recipient organization and the Medicare program. The agreement would allow the entities to use the information to determine cases where they have primary responsibility for payment or cases where Medicare has primary responsibility for payment. Examples of prohibited uses would include but are not limited to: Creation of a mailing list, sale or transfer of data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained on paper, listings, microfilm, magnetic tape disc and punchcards.

Retrievability:

System is sequence by health insurance claim number, and is used to carry out the tasks of enrollment query/reply activity, and health insurance bill and payment record processings. Copies of selected parts of the records will be used by the Office of Statistics and Data Management.

Safeguards:

Unauthorized personnel are denied access to the records areas. Disclosure is limited to routine use. For computerized records electronically transmitted between Central Office and field office locations (including Medicare contractors) systems securities are established in accordance with DHHS ADP Systems Manual. Part 6, "ADP Systems Security." Safeguards include a lock/unlock passwords system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and audit trail.

Retention and disposal:

Records are generally added to the file several months prior to entitlement. After the death of a beneficiary, his or her records may be placed in an inactive file following a period of no billing or query activity. The current 5 years of Part B and current 5 spells of Part A utilization data are maintained. All noncurrent data is microfilmed prior to elimination from the system.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Entitlement Requirements, 6325 Security Boulevard, Baltimore, MD 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to he most conventional social security office, the appropriate carrier or intermediary, the HCFA Regional Office, or the system manager named above. The individual should furnish his or her health insur- nce claim number and name as shown on Medicare records.

Record access procedures:

Same as notification procedures. Requesters should also reasonably pecify the record contents being sought. (These access procedures re in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the official at the address specified under notification pro- edures above, and reasonably identify the record and specify the formation to be contested. State the corrective action sought and he reasons for the correction with supporting justification. (These rocedures are in accordance with Department Regulations (45 CFR b.7)).

Record source categories:

The data contained in these records are furnished by the individ- al, or in the case of some Medicare secondary payer situations, rough third party contacts. There are cases, however, in which the entifying information is provided to the physician by the individual; e physician then adds the medical information and submits the bill the carrier for payment. Updating information is also obtained om the Master Beneficiary Record.

Systems exempted from certain provisions of the act:

None.

90-70-0503

stem name:

Intermediary Medicare Claims Records, HHS, HCFA, BPO.

Security classification:

None.

System location:

Intermediaries under contract to the Health Care Financing Administration and the Social Security Administration (See Appendix A, Section 3.)

Federal Records Centers

Bureau of Quality Control, HCFA, Office of Systems Analysis, 6325 Security Boulevard, Baltimore, Maryland, HHS Parklawn Computer Center, 5600 Fishers Lane, Rockville, Maryland 20857.

Categories of individuals covered by the system:

Beneficiaries on whose behalf providers have submitted claims for reimbursement on a reasonable cost basis under Medicare parts A and B, or are eligible, or individuals whose enrollment in an employer group health benefits plan covers the beneficiary.

Categories of records in the system:

Billing for Medical and Other Health Services: Uniform bill for provider services or equivalent data in electronic format, and Medicare secondary payer records containing other party liability insurance information necessary for appropriate Medicare claims payment and other documents used to support payments to beneficiaries and providers of services. These forms contain the beneficiary's name, sex, health insurance claim number, address, date of birth, medical record number, prior stay information, provider name and address, physician's name, and/or identification number, warranty information when pacemakers are implanted or explanted, date of admission and discharge, other health insurance, diagnoses, surgical procedures, and a statement of services rendered for related charges and other data needed to substantiate claims.

The following elements are outpatient data provided to Medicare intermediaries by rehabilitation agencies, skilled nursing facilities, hospital outpatient departments, and home intravenous drug providers and home health agencies that provide physical therapy in addition to home health services:

● Outpatient's name
● HI number
● Admission data to provider
● Place treatment rendered
● Number of visits since start of care
● Diagnosis
● Diagnosis requiring treatment
● Onset of condition for which treatment is being sought
● Dates of previous therapy for same diagnosis
● Other therapy outpatient is currently receiving
● Observations
● Precautions and medical equipment
● Functional status immediately prior to this therapy
● Types of treatment—modalities
● Frequency of treatment
● Expected duration of treatment
● Rehabilitation potential
● Level of communication potential
● Average time per visits
● Goals
● Statement of problem at beginning of billing period
● Changes in problem at end of billing period
● Signature of therapist
● Certification and recertification by physician that services are to be provided from an established plan of care
● Tests results
● Biopsy reports
● Methods of administration, e.g., pill vs. injection
● Physician's orders
● Procedure codes
● Charges
● Weekly progress notes
● National Drug Code (NDC)

Authority for maintenance of the system:

Sections 1816, 1862(b) and 1874 of Title XVIII of the Social Security Act (42 U.S.C. 1395h, 1395y(b) and 1395kk).

Purpose(s):

To process and pay Medicare benefits to or on behalf of eligible individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

(1) Claimants, their authorized representatives or representative payees to the extent necessary to pursue claims made under title XVIII of the Social Security Act (Medicare).

(2) Third-party contacts without the consent of the individual to whom the information pertains in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage his or her affairs or to his or her eligibility for or entitlement to benefits under the Medicare program when:

(a) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: Individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide to the individual), or

(b) The data are needed to establish the vadility of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: The individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of systems activities.

(3) Third-party contacts where necessary to establish or verify information provided by representative payees or payee applicants.

(4) The Treasury Department for investigating alleged theft, forgery, or unlawful negotiations of Medicare reimbursement checks.

(5) The U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

(6) The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

(7) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

(8) Professional Review Organizations in connection with their review of claims, or in connection with studies or other review activities, conducted pursuant to Part B of title XI of the Social Security Act.

(9) State Licensing Boards for review of unethical practices or nonprofessional conduct.

(10) Providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries or carriers, for administration of provisions of title XVIII.

(11) An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained:

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished:

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit.

or

(d) When required by law:

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by the provisions.

(12) State welfare departments pursuant to agreements with the Department of Health and Human Services for administration of State supplementation payments for determination of eligibility for Medicaid, for enrollment of welfare recipients for medical insurance under Section 1843 of the Social Security Act, for quality control studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(13) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(14) State audit agencies in connection with the audit of Medicaid eligibility considerations.

(15) The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee, or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the government party, provided, however, that in such case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(16) Senior citizen volunteers working in the intermediaries' and carriers' offices to assist Medicare beneficiaries' in response to beneficiaries requests for assistance.

(17) A contractor working with Medicare carriers/intermediaries to identify and recover erroneous Medicare payments for which workers' compensation programs are liable.

(18) State and other governmental Workers' Compensation Agencies working with the Heatlh Care Financing Administration to assure that workers' compensation payments are made where Medicare has erroneously paid and workers' compensation programs are liable.

(19) Release information, without the beneficiary's authorization, to insurance companies, self-insurers, Heatlh Maintenance Organizations, multiple employer trusts and other groups providing protection against medical expenses of their enrollees. Information to be disclosed shall be limited to Medicare entitlement data. In order to receive this information the entity must agree to the following conditions:

a. To certify that the individual about whom the information is being provided is one of its insureds;

b. To utilize the information solely for the purpose of processing the identified individual's insurance claims; and

c. To safeguard the confidentiality of the data and to prevent unauthorized access to it.

(20) To a contractor for the purpose of collating, analyzing aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(21) To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of heatlh care services provided in the State, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained;

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made:

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individuals that additional exposure of the record might bring, and;

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following:

(1) Not to use the date for purposes that are not related to the evaluation of cost, quality, and effectiveness of care;

(2) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(3) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

(22) To insurers, underwriters, third party administrators, self-insurers, group health plans, employers, health maintenance organizations, health and welfare benefit funds, Federal agencies, a State or local government or political subdivision of either (when the organization has assumed the role of an insurer, underwriter, or third party administrator, or in the case of a State that assumes the liabilities of an insolvent insurer, through a State created insolvent insurer pool or fund), multiple-employer trusts, no-fault, medical, automobile insurers, workers' compensation carriers or plans, liability insurers, and other groups providing protection against medical expenses who are primary payers to Medicare in accordance with 42 USC 1395y(b), or any entity having knowledge of the occurrence of any event affecting (A) an individual's right to any such benefit or payment, or (B) the initial or continued right to any such benefit or payment (for example, a State Medicaid Agency, State Workers' Compensation Board, or Department of Motor Vehicles) for the purpose of coordination of benefits with the Medicare program and implementation of the Medicare Secondary Payer provisions at 42 USC 1395y(b). The information HCFA may disclose will be:

- Beneficiary Name
- Beneficiary Address
- Beneficiary Health Insurance Claim Number
- Beneficiary Social Security Number
- Beneficiary Sex
- Beneficiary Date of Birth
- Amount of Medicare Conditional Payment

To administer the Medicare Secondary payer provisions at 42 USC 1395y(b) (2), (3), (4) more effectively, HCFA would receive (to the extent that it is available) and may disclose the following types of information from insurers, underwriters, third party administrators, self-insureds, etc.:

- Subscriber Name and Address
- Subscriber Date of Birth
- Subscriber Social Security Number
- Dependent Name
- Dependent Date of Birth
- Dependent Social Security Number
- Dependent Relationship to Subscriber
- Insurer/Underwriter/TPA Name and Address
- Insurer/Underwriter/TPA Group Number
- Insurer/Underwriter/TPA Group Name
- Prescription Drug Coverage
- Policy Number
- Effective Date of Coverage
- Employer Name, Employer Identification Number (EIN) and Address
- Employment Status
- Amounts of Payment

To administer the Medicare Secondary payer provision at 42 USC 12395y(b)(1) more effectively for entities such as Workers Compensation carriers or boards, liability insurers, no-fault and automobile medical policies or plans, HCFA would receive (to the extent that it is available) and may disclose the following information:

- Beneficiary's Name and Address
- Beneficiary's Date of Birth
- Beneficiary's Social Security Number*
- Name of Insured*
- Insurer Name and Address
- Type of coverage; automobile medical, no-fault, liability payment, or workers' compensation settlement.
- Insured's Policy Number
- Effective Date of Coverage
- Date of accident, injury or illness
- Amount of payment under liability, no-fault, or automobile medical policies, plans, and workers compensation settlements.
- Employer Name and Address (Workers' Compensation only)

* Name of insured could be the driver of the car, a business, the beneficiary (i.e., the name of the individual or entity which carries the insurance policy or plan).

In order to receive this information the entity must agree to the following conditions:

a. To utilize the information solely for the purpose of coordination of benefits with the Medicare program in accordance with 42 USC 1395y(b);

b. To safeguard the confidentiality of the data and to prevent unauthorized access to it;

c. To prohibit the use of beneficiary-specific data for purposes other than for the coordination of benefits between the recipient organization and the Medicare program. The agreement would allow the entities to use the information to determine cases where they have primary responsibility for payment or cases where Medicare has primary responsibility for payment. Examples of prohibited uses would include but are not limited to: Creation of a mailing list, sale or transfer of data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained on paper forms, magnetic tape and microfilm.

Retrievability:

The system is indexed by health insurance claim number. The record is prepared by the hospital or other provider with identifying information received from the beneficiary to establish eligibility for Medicare and document and support payments to providers by the intermediaries. The bill data are forwarded to the Health Care Financing Administration, Bureau of Data Management and Strategy, Baltimore, Md., where they are used to update the central office records.

Safeguards:

Disclosure of records is limited. The file area is closed to unauthorized personnel. Physical safeguards related to the transmission and reception of the data between Rockville and Baltimore are those requirements established by the DHHS ADP Systems Manual, Part 6.

Retention and disposal:

Records are closed out at the end of the calendar year in which paid, held 2 more years, transferred to the Federal Records Center and destroyed after another 6 years.

System manager(s) and address:

Health Care Financing Administration Director, Division of Provider Procedures, 6325 Security Boulevard, Baltimore, MD 21207.

Notification procedure:

Inquiries and requests for systems records should be addressed to the social security office nearest the requester's residence, the appropriate intermediary, the HCFA Regional Office, or to the system manager named above. The individual should furnish his or her health insurance number and name as shown on social security records. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the records contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

The identifying information contained in these records is obtained by the provider from the individual or, in the case of some Medicare secondary payer situations, through third party contacts. The medical information is entered by the provider of medical services.

Systems exempted from certain provisions of the act:

None.

Appendix A— Health Insurance Claims

Medicare records are maintained at the HCPA Central Office (see section 1 below for the address). Health insurance records of the Medicare program can also be accessed through a representative of the HCFA Regional Office (see section 2 below for addresses). Medicare claiis records are also maintained by private insurance organizations who share in administering provisions of the health insurance program. These private insurance organizations, referred to as carriers and intermediaries, are under contract to the Health Care Financing Administration and the Social Security Administration to perform specific tasks in the Medicare program. See section 3 below for addresses for intermediaries and section 4 addresses for carriers.

1. Central Office Addresses:

Bureau of Program Operations, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15–4:45.

Bureau of Data Management and Strategy, HCFA, Office of Health Program Systems, Room 1705, Equitable Building, 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15–4:45.

2. HCFA Regional Office Addresses:

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building, Room 1211, Boston, Massachusetts 02203. Office Hours: 8:30–5:00

NEW YORK REGION—New Jersey, New York, Puerto Rico, Virgin Islands

426 Federal Plaza—Room 715, New York, New York 10007. Office Hours: 8:30–5:00

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

P.O. Box 8460, Philadelphia, Pennsylvania 19101. Office Hours: 8:30–5:00

ATLANTA REGION—Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Street, Suite 702, Atlanta, Georgia 30223. Office Hours: 8:00–4:30

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Suite A—824, Chicago, Illinois 60604. Office Hours: 8:15–4:35

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Building, Dallas, Texas. Office Hours: 8:30–4:30

KANSAS CITY REGION— Iowa, Kansas, Missouri, Nebraska

New Federal Office Building, 601 East 12th Street—Room 436, Kansas City, Missouri 64106. Office Hours: 8:30–4:45

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, 1961 Stout St—Room 1185, Denver, Colorado 80294. Office Hours: 8:00–4:30

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada

Federal Office Building, 10 Van Ness Avenue, 20th Floor, San Francisco, California 94102. Office Hours: 8:00–4:30

SEATTLE REGION—Alaska, Idaho, Oregon, Washington

1321 Second Avenue—Room 615, Mail Stop 211, Seattle, Washington 98101. Office Hours: 8:00–4:30

3. Intermediary Addresses (Hospital Insurance):

Medicare Coordinate, Blue Cross/Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Medicare Coordinator, Blue Cross of Arizona, Inc., P.O. Box 13466, Phoenix, Arizona 85002

Medicare Coordinator, Arkansas Blue Cross/Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, Blue Cross of Southern Californha, P.O. Box 700000, Van Nuys, California 91470

Medicare Coordinator, Blue Cross of Northern California, 1950 Franklin Street, Oakland, California 94659

Medicare Coordinator, Kasier Foundation Health Plan, Inc., 1956 Webster Street, Room 310A, Oakland, California 94612

Medicare Coordinator, Rocky Mountain Hospital and Medical Service, 700 Broadway, Denver, Colorado 80203

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross/Blue Shield Connecticut, 370 Bassett Rd., North Haven, Connecticut 06473

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06115

Triage, Inc. 719 Middle Street, Bristol, Connecticut 06019

Medicare Coordinator, Blue Cross/Blue Shield of Delaware, Inc., 201 West 14th Street, Wilmington, Delaware 19899

Medicare Coordinator, Group Hospitalization, Inc., 550 12th Street, SW, Washington, DC 20024

Medicare Coordinator, Blue Cross of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32201

Medicare Coordinator, Blue Cross of Georgia/Columbus, P.O. Box 7368, Columbus, Georgia 31906

Medicare Coordinator, Blue Cross of Georgia/Atlanta, P.O. Box 4445, Atlanta, Georgia 30302

Medicare Coordinator, Hawaii Medical Service Association, P.O. Box 860, Honolulu, Hawaii 96808

Medicare Coordinator, Blue Cross of Idaho, Inc., P.O. Box 7480, Boise, Idaho 83707

Medicare Coordinator, Health Care Service Corp., 233 North Michigan Avenue, Chicago, Illinois 60601

Medicare Coordinator, Mutal Hospital Insurance, Inc., 120 West Market Street, Indianapolis, Indiana 46204

Medicare Coordinator, Blue Cross of Iowa, Ruan Building, 636 Grant Avenue, Station 28, Des Moines, Iowa 50307

Medicare Coordinator, Blue Cross of Western Iowa and S. Dakota, Third and Pierce Street, Sioux City, Iowa 51102

Medicare Administrator, Kansas Hospital Service Association, Inc., P.O. Box 239, Topeka, Kansas 66601

Medicare Coordinator, Blue Cross and Blue Shield of Kentucky, Inc., 9901 Linn Station Road, Louisville, Kentucky 40223

Medicare Coordinator, Louisiana Health Service and Indemnity Company, 2718A Wooddale Blvd., Baton Rouge, Louisiana 70805

Medicare Coordinator, Associated Hospital Service of Maine, 110 Free Street, Portland, Maine 04101

Medicare Coordinator, Maryland Blue Cross, Inc., 700 East Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator, Part A. Blue Cross of Mass., Inc., 100 Summer Street, Boston, Massachusetts 02106

Medicare Coordinator, Blue Cross of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Medicare Coordinator, Blue Cross of Minnesota, 3535 Blue Cross Road, St., Paul, Minnesota 55765

Medicare Coordinator, Blue Cross of Miss., P.O. Box 1043, Jackson, Mississippi 39205

Medicare Coordinator, Blue Cross Hospital Service of Missouri, 4444 Forest Park Boulevard, St. Louis, Missouri 63108

Medicare Coordinator, Blue Cross of Montana, P.O. Box 5017, Great Falls, Montana 59403

Medicare Coordinator, Mutual of Omaha Ins. Co., Box 456 Downtown Station, Omaha, Nebraska 68101

Medicare Coordinator, Blue Cross of Nebraska, P.O. Box 3248, Main Post Office Station, Omaha, Nebraska 68103

Medicare Coordinator, New Hampshire Vermont Health Service, 2 Pillsbury Street, Concord, New Hampshire 03306

Medicare Coordinator, Hospital Service Plan of New Jersey, 33 Washington Street, Newark, New Jersey 07102

Medicare Coordinator, Prudential Ins. Co. of America, Drawer 471, Millvelle, New Jersey 08332

Medicare Coordinator, New Mexico Blue Cross Inc., 12800 Indiana School Rd., NE, Albuquerque, New Mexico 87112

Medicare Coordinator, B/C–B/S of New York, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, North Caroline B/C–B/S, P.O. Box 2291, Durham, North Carolina 27702

Medicare Coordinator, Blue Cross of North Dakota, 4510 13th Avenue, SW, Fargo, North Dakota 58121

Medicare Coordinator, B/C of N.W. Ohio, P.O. Box 943, Toledo, Ohio 43601

Medicare Coordinator, B/C of N.E., Ohio, 2066 East Ninth Street, Cleveland, Ohio 44115

Medicare Coordinator, Hospital Care Corporation, 1851 William Howard Taft Road, Cincinnati, Ohio 45206

Medicare Coordinator, Nationwide Mutual Insurance Co., P.O. Box 1625, Columbus, Ohio 43216

Medicare Coordinator, B/C of Central Ohio, P.O. Box 16526, Columbus, Ohio 43216

Medicare Coordinator, Blue Cross of Oklahoma, 1215 South Boulder, Tulsa, Oklahoma 74119

Medicare Coordinator, Northwest Hospital Service, P.O. Box 1271, Portland, Oregon 97201

Medicare Coordinator, Blue Cross of Greater Philadelphia, 1333 Chestnut Street, Philadelphia, Pennsylvania 19107

Medicare Coordinator, Blue Cross of Western Pennsylvania, One Smithfield Street, Pittsburgh, Pennsylvania 15222

Medicare Coordinator, B/C of N.E. Pennsylvania, 70 North Main Street, Wilkes-Barre, Pennsylvania 18711

Medicare Coordinator, Hospital Service Plan of Lehigh Valley, 1221 Hamilton Street, Allentown, Pennsylvania 18102

Medicare Coordinator, Capital Blue Cross, 100 Pine Street, Harrisburg, Pennsylvania 17101

Cooperative de Seguros de Vida de Puerto Rico, G.P.O. Box 3428, San Juan, Puerto Rico 00936

Blue Cross of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross of S.C., Columbia, South Carolina 29219

Medicare Coordinator, Blue Cross of Tennessee, Blue Cross Bldg., Chattanooga, Tennessee 37402

Medicare Coordinator, Group Hospital Service, Inc., P.O. Box 22146, Dallas, Texas 75222

Medicare Coordinator, B/C of Utah, P.O. Box 30270, Medicare A, Salt Lake City, Utah 84130

Medicare Coordinator, B/C of S.W. Virginia, P.O. Box 13047, 3959 Electric Rd., Roanoke, Virginia 24045

Medicare Coordinator, Blue Cross of Virginia, P.O. Box 27401, Richmond, Virginia 23261

Medicare Coordinator, B/C of Washington/Alaska, Inc., 15700 Dayton Avenue, North, P.O. Box 327, Seattle, Washington 89111

Medicare Coordinator, Parkersburg Hosp. Serv., Inc., P.O. Box 1948, Parkersburg, West Virginia 26101

Medicare Coordinator, Blue Cross Hospital Service Inc., P.O. Box 1353, City Center, West Charleston, West Virginia 25325

Medicare Coordinator, Blue Cross of Northern West Virginia Inc., 20th and Chaplin Streets, Wheeling, West Virginia 26003

Medicare Coordinator, Blue Cross/Blue Shield United of Wisconsin, Milwaukee, Wisconsin 53201

Medicare Coordinator, Blue Cross/Blue Shield of Wyoming, P.O. Box 2266, Cheyenne, Wyoming 8200

Health Care Financing Administration, Bureau of Program Operations, Office of Prepaid Operations Staff, 6325 Security Boulevard, Baltimore, Maryland 21207

Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Medicare Carriers

Medicare Coordinator, Blue Cross and Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Vice President for Medicare and Medical Services, Arkansas Blue Cross and Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, California Physicians Service, (d/b/a Blue Shield of California), P.O. Box 7013, No. 2 Northpoint, San Francisco, California 94120

Medicare Coordinator, Transamerica Occidental Life Insurance Company, P.O. Box 54905 Terminal Annex, Los Angeles, California 90054

Assistant Vice President, Rocky Mountain Hospital and Medical Service, (d/b/a Blue Cross and Blue Shield of Colorado), 700 Broadway, Denver, Colorado 80273

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06183

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross and Blue Shield of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32231

Health Care Service Corporation, 233 North Michigan Avenue, Chicago, Illinois 60601

Associated Insurance Companies, Inc., (d/b/a Blue Cross and Blue Shield of Indiana), 8320 Craig Street, Suite 100, Indianapolis, Indiana 46250–0453

Assistant Executive Director, Blue Shield of Iowa, Ruan Building, 636 Grand Avenue, Station 28, Des Moines, Iowa 50309

Medicare Assistant, Blue Cross and Blue Shield of Kansas, Inc., P.O. Box 239, Topeka, Kansas 66601

Blue Cross and Blue Shield of Kentucky, Inc., 100 East Vine Street, 6th Floor, Lexington, Kentucky 40517

Medicare Coordinator, Blue Cross and Blue Shield of Maryland, Inc., 700 E. Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator, Part B, Blue Shield of Massachusetts, Inc., 100 Summer Street, Boston, Massachusetts 02110

Assistant Vice President, Government Affairs Department, Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Blue Cross and Blue Shield of Minnesota, P.O. Box 64357, 3535 Blue Cross Road, St. Paul, Minnesota 55164

Vice President Government Programs, Blue Cross and Blue Shield of Kansas City, P.O. Box 169, Kansas City, Missouri 64141

Director, Medicare Administration, General American Life Insurance Co., P.O. Box 505, St. Louis, Missouri 63166

Blue Cross and Blue Shield of Montana, Inc., P.O. Box 4309, 404 Fuller Avenue, Helena, Montana 59601

Medicare Coordinator, Prudential Insurance Co. of America, Tri-City Office Drawer 471, Millville, New Jersey 08332

Director of Medicare Part B, Blue Shield of Western New York, Inc., 298 Main Street, Buffalo, New York 14202

Medicare Coordinator, Group Health Insurance, Inc., 330 West 42nd Street, New York, New York 10036

Medicare Coordinator, Empire Blue Cross and Blue Shield, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, EQUICOR, Inc., 1285 Avenue of the Americas, New York, New York 10019

Medicare Coordinator, Blue Cross and Blue Shield of North Dakota, 4510 13th Avenue, SW, Fargo, North Dakota 58121

Medicare System and Processing Division, Nationwide Mutual Insurance Company, P.O. Box 16788, Columbus, Ohio 43216

Medicare Coordinator, Pennsylvania Blue Shield, P.O. Box 65, Camp Hill, Pennsylvania 17011

Chief, Internal Operations, Sequros de Servicio de Salud de Puerto Rico 00936–3628

Medicare Coordinator, Blue Cross and Blue Shield of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross and Blue Shield of South Carolina, Fontaine Business Center, 300 Arbor Lake Drive, Suite 1300, Columbia, South Carolina 29223

Blue Cross and Blue Shield of Texas, Inc., 901 South Central Expressway, P.O. Box 833815, Richardson, Texas 75083–3815

Manager, Part B, Blue Cross and Blue Shield of Utah, P.O. Box 30270, 2455 Parley's Way, Salt Lake City, Utah 84130

Assistant Administrator, Washington Physicians Service, 4th and Battery Building, 2401 4th Avenue, 6th Floor, Seattle, Washington 98121

Director, Medicare Claims Department, Wisconsin Physicians' Service Insurance, Corp., 1717 West Broadway, Monona, Wisconsin 53713

09–70–0504

System name:

Beneficiary Part A and B Uncollectible Overpayment File, HHS, HCFA, BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Director, Bureau of Program Operations, 6325 Security Blvd., Baltimore, Maryland 21207.

Categories of individuals covered by the system:

The system contains the name of the beneficiary on whose account an overpayment has been made and the name of the physician or supplier to whom the overpayment was made.

Categories of records in the system:

The file includes completed Medicare claims forms which contain patient's name, sex, claim number, address, date of birth, date of treatment, diagnosis, and summary of treatment rendered as well as other documents that were used in calculating the existence and amount of overpayment.

Authority for maintenance of the system:

Section 1870 of the Social Security Act (42 U.S.C. 1395gg) and Section 3 of the Federal Claims Collection Act of 1966, 30 U.S.C. 952.

Purpose(s):

To provide documentation and to control cases involving Medicare beneficiary overpayments which are not collectible.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) To the Department of Justice when civil litigation is involved, (2) to the Internal Revenue Service for investigation of alleged tax fraud, (3) to Professional Standards Review Organizations and State Licensing Boards for review of unethical practices or non-professional conduct. (Further, HCFA may request a credit report on certain physicians or suppliers from whom repayment of an overpayment is requested.), (4) to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual; and (5) in the event of litigation where the defendant is (a) the Department, any components of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files maintained in file cabinets.

Retrievability:

The system is indexed by health insurance number.

Safeguards:

Only authorized personnel are permitted in the file area.

Retention and disposal:

The files are retained for 3 years.

System manager(s) and address:

Health Care Financing Administration, Director, Bureau of Program Operations, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager named above and directed to the attention of the Office of Standards and Performance Evaluation, Division of Reimbursement, Recovery, and Reconsideration Evaluation, Reconsideration Evaluation Branch.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Data in these records is obtained from carrier or intermediary billing records.

Systems exempted from certain provisions of the act:

None.

09–70–0505

System name:

Supplemental Medical Insurance Accounting Collection and Enrollment System. HHS/HCFA/BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Data Management and Strategy, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Health insurance beneficiaries whose supplementary medical insurance benefit and/or hospital insurance benefit premiums are paid by a third-party; a State welfare agency, the U.S. Office of Personnel Management or a private organization.

Categories of records in the system:

Beneficiary's name, health insurance claim number, date of birth, sex, amount of premium liability, date agency first became liable for HIB (Health Insurance Benefit) or SMIB (Supplemental Medical Insurance Benefit) premiums, last month of agency premium liability, agency identification numbers, Civil Service annuity number for U.S. Office of Personnel Management recipients.

Authority for maintenance of the system:

Sections 1840 (d) and (e) and 1843 of Title XVIII of the Social Security Act (42 U.S.C.1395s (d) and (e) and 1395v).

Purpose(s):

To process changes to HI/SMI premium payments by third parties (such as State agencies, private groups, Office of Personnel Management) on behalf of Medicare beneficiaries; for billing third parties; and for enrolling individuals for SMI coverage under State buy-in agreements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to: (1) State welfare departments pursuant to agreements with the Department of Health and Human Services for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act, (2) a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual, (3) the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected, and to a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape, microfilm.

Retrievability:

The system is indexed by health insurance claim number.

Safeguards:

Only authorized personnel have direct access to information in the Third-Party Master Record. In addition, all personnel are advised that this information is confidential.

Retention and disposal:

Tape records are retained for 90 days. Monthly microfilm records are destroyed after 3 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Entitlement Requirements, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager named above and directed to the attention of the Office of Methods and Systems, Division of Program Operations Procedures, Division of Entitlement Requirements. The individual should furnish his or her health insurance claim number and name as shown on Medicare records.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (The access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Reguations (45 CFR 5b.7).)

Record source categories:

The identifying information contained in these records is obtained from third-party agencies, the Social Security Administration's Master Beneficiary Record, and the Health Insurance Master Record.

Systems exempted from certain provisions of the Act:

None.

09-70-0507

System name:

Health Insurance Utilization Microfilm HHS, HCFA, BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Data Management and Strategy, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system: Records are maintained of transactions for individuals who are entitled or who applied for and were entitled to Medicare benefits or who applied for and were disallowed medicare benefits.

Categories of records in the system:

The system contains transactions accepted or rejected, and the reason for such rejection. Transactions are maintenance type as well as utilization.

Authority for maintenance of the system:

Section 1814 and 1833 of Title XVIII of the Social Security Act (42 U.S.C. 1395f and 1395l).

Purpose(s):

To provide a history file of chronological transactions that establishes and or maintains a beneficiaries Medicare record.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2)To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Microfilm.

Retrievability:

The system is indexed by health insurance claim number. It is used primarily to document the Health Insurance master file and to respond to inquiries. The Health Insurance Utilization Microfilm is the history (audit) trail of Hospital Insurance/Supplementary Medical Insurance.

Safeguards:

Requests for microfilm must be submitted to the Bureau of Data Management and Strategy, HCFA.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Entitlement Requirements, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager named above. The individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures:

The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from the system manager named above. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR, 5b.7).))

Record source categories:

The identifying information contained in these records is obtained by the provider of services from the individual, from the individual himself or herself, or from suppliers of services and from the Social Security Administration's Master Beneficiary Record system; from the U.S. Department of Labor; from the Veteran's Administration; and from various State Medicaid agencies.

Systems exempted from certain provisions of the act:

None.

09-70-0508

System name:

Reconsideration and Hearing Case Files (Part A) Hospital Insurance Program HHS, HCFA, BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Program Operations, 6325 Security Blvd., Baltimore, Maryland 21207.

In addition, intermediaries under contract to the Health Care Financing Administration and the Social Security Administration, Office of Financial Operations, Division of Overpayment Prevention, Beneficiary Debt Management Branch.

Categories of individuals covered by the system:

Individuals dissatisfied with an initial or reconsidered determination as to the amount of benefits payable on the beneficiary's behalf under the hospital insurance program who have filed either an expressed or implied request for reconsideration.

Categories of records in the system:

Reconsideration development and case summary; Part A—review action; complaint sheet; Request for Hearing; Request for Reconsideration of Part A Health Insurance Benefits; and comparable forms and evidence furnished by beneficiaries or their representatives, intermediary action, correspondence, reconsideration determination, Administrative Law Judges' decisions, original bills, Appeals Council decisions and related correspondence.

Authority for maintenance of the system:

Sections 1812, 1814, 1816, and 1869 of Title XVIII of the Social Security Act (42 U.S.C. 1395d, 1395f, 1395h, and 1395ff).

Purpose(s):

To maintain Part A reconsideration claims file history for possible further appeal actions and for monitoring intermediary performance on a sample basis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained in open-shelf file cabinets.

Retrievability:

The system is indexed by health insurance claim number.

Safeguards:

The file is closed to unauthorized personnel. Disclosure of records is limited to routine uses.

Retention and disposal:

Records are placed in inactive file when final action is taken on the case and closed out at the end of the calendar year in which final action was taken. They are held 1 additional year, transferred to the Washington National Records Center and destroyed after 5 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Reimbursement, Recovery and Reconsideration Evaluation, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager named above. The individual should furnish his or her health insurance claim number and name as shown on social security records. The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from the system manager named above.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR, 5b.7).)

Record source categories:

The information contained in these records is furnished by the beneficiary, his or her representative, or other person requesting a review of the claim and from the reviewing authority (the supplementary health insurance carrier).

Systems exempted from certain provisions of the act:

None.

09-70-0509

System name:

Medicare Beneficiary Correspondence Files HHS, HCFA, BPO.

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Program Operations, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Medicare beneficiaries and others including Congressional offices and the White House, who correspond with the Health Care Financing Administration, Bureau of Program Operations.

Categories of records in the system:

Correspondence containing operations related inquiries, complaints, or suggestions received by the Social Security Administration Central Office, and Health Care Financing Administration Central Office or correspondence referred by other Government agencies. Correspondence may contain requests under the Freedom of Information Act when the requests' concerns are under the jurisdiction of the HCFA Bureau of Program Operations (BPO).

Authority for maintenance of the system:

Section 1874 of Title XVIII of the Social Security Act (42 U.S.C. 1395kk).

Purpose(s):

Serves as documentation of actions with respect to each inquiry and to assist in responding to simultaneous and subsequent inquiries. Assist BPO staff in analyzing correspondence, in researching needed material, and in identifying major problems and conflicts in existing BPO policy, procedures, and practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (2) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his of her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained in file cabinets.

Retrievability:

The system is indexed alphabetically, using the last name of the beneficiary and/or by designated batch number. It is used to control correspondence in connection with Medicare.

Safeguards:

The file area is closed to unauthorized personnel.

Retention and disposal:

Correspondence for congressional inquiries is destroyed 1 year after the close of the year in which the records are dated; other correspondence is destroyed within 30 days of completion except where records are required to document a specific claim, reconsideration, appeal, or similar case, the files are treated in accordance with the instructions for the specific file.

System manager(s) and address:

Health Care Financing Administration, Director, Bureau of Program Operations, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for records should be directed to the same address as that with which the correspondence was initiated. The individual can obtain information on the procedures for gaining access to and contesting records from the system manager named above.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

The initial correspondence in these records is prepared by the beneficiary or other inquirers; the response is prepared by the appropriate Health Care Financing Administration component.

Systems exempted from certain provisions of the act:

None.

09-70-0512

System name:

Review and Fair Hearing Case Files—Supplementary Medical Insurance Program, HHS, HCFA, BPO.

Security classification:

None.

System location:

Carriers (see Appendix C, Section 4) and Federal Records Centers.

Categories of individuals covered by the system:

Beneficiary, physician, provider or other supplier of service who is dissatisfied with the carrier's determination denying a request for payment, or with the amount of the payment or with the length of time being taken to process the claim for payment.

Categories of records in the system:

Claimants' requests for review, relevant written statement of evidence, notice of adverse informal review decisions, requests for hearings to protest adverse decisions, hearings proceedings, hearings officers' final decisions and comparable papers.

Authority for maintenance of the system:

Sections 1812 and 1842 of Title XVIII of the Social Security Act (42 U.S.C. 1395d and 1395u).

Purpose(s):

To maintain a file for reviewing determinations of Medical insurance claims and related material.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file cabinets.

Retrievability:

The records are indexed by health insurance claim number.

Safeguards:

Disclosure of records is limited to routine uses. The files are closed to unauthorized personnel.

Retention and disposal:

Records are closed out at the end of the calendar year in which the action (reconsideration, hearing, court review) is completed, held 2 more years, transferred to Federal Records Center and destroyed after another 6 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Entitlement Requirements, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for records should be directed to the most convenient social security office or to the system manager named above. The individual should furnish his or her health insurance claim number and name as shown on social security records. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR 5b.6).)

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department regulations (45 CFR 5b.7).)

Record source categories:

The information contained in these records is furnished by the beneficiary requesting reconsideration or his or her authorized representative and from the reviewing authority.

Systems exempted from certain provisions of the act:

None.

09-70-0513

System name:

Explanation of Medicare Benefit Records, HHS, HCFA, BPO.

Security classification:

None.

System location:

Intermediaries (see Appendix C, Sections 3 and 4) and Federal Records Centers.

Categories of individuals covered by the system:

All recipients of Medicare Part B services and supplies.

Categories of records in the system:

Medicare supplemental insurance benefits record, Part B home health benefits record; Medicare hospital insurance benefits record. These are explanations of Medicare benefits. They also advise beneficiaries of supplementary medical insurance deductible status.

Authority for maintenance of the system:

Sections 205, 226, 1811, and 1832 of Title XVIII of the Social Security Act (42 U.S.C. 405, 426, 1395c, and 1395k).

Purpose(s):

To maintain a file of Explanations of Medicare benefits sent to beneficiaries advising them of Medicare payments made on their behalf, and whether the various deductible requirements have been satisfied.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Copies of forms sent to beneficiaries are retained in file cabinets.

Retrievability:

The records are indexed by health insurance number. These records are used to advise the beneficiary of the payments made on his or her behalf and whether the various deductibles have been satisfied.

Safeguards:

Disclosure of records is limited. The file area is closed to unauthorized personnel.

Retention and disposal:

Closed out at the end of the year in which the benefit was paid or denied; held 1 year, transferred to the Federal Records Center where record is destroyed after 5 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Carrier Procedures, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the most convenient social security office (see Appendix F), or to carrier or intermediary who issued the notice.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

The identifying information is furnished by the beneficiary when requesting payment; the medical procedures are furnished by the physician or provider and the amount of payment and remaining benefits are furnished by the intermediary or carrier.

Systems exempted from certain provisions of the act:

None.

09–70–0516

System name:

Medicare Physician Supplier Master File, HHS/HCFA/BPO.

Security classification:

None.

System location:

Carriers under contract to the Health Care Financing Administration and the Social Security Administration. (See Appendix C, Section 4.)

Categories of individuals covered by the system:

Physicians and suppliers who provide medical services or supplies to Medicare beneficiaries.

Categories of records in the system:

A compilation of all charges submitted by a physician or supplier for services and supplies to: (1) Derive "reasonable charge" information; (2) determine economic indexes; and (3) to substantiate the basis for payment to beneficiaries, physicians, suppliers and hospitals.

Authority for maintenance of the system:

Sections 1833, 1835, 1842 and 1874 of Title XVIII of the Social Security Act (42 U.S.C. 1395l, 1395n, 1395u, and 1395kk).

Purpose(s):

To determine health care reasonable charges and the geographical area prevailing charges.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records from this system may be disclosed (1) to a provider, the claimant or a prospective claimant, the name of a physician who has been found ineligible to submit claims under Section 1814(h) (Payment for Posthospital Extended Care Services) or Section 1814(i) (Payment for Posthospital Home Health Services) of Title XVIII of the Social Security Act. (2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (3) Disclosure may be made to the Title XIX State agency or the Title XIX fiscal agents of the customary and prevailing charge screens and whatever other information is contained in the file and would be required to determine "reasonable charges" as required under section 103(i)(l) of the Social Security Act. (4) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(5)To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tape, microfilm, and hard copy paper.

Retrievability:

The records are indexed by physician provider numbers and supplier EIN (employer's identification number). The records are prepared and updated daily by carriers as a basis for determining reasonable charges and area prevailing charges.

Safeguards:

Disclosure of records is limited to carrier personnel on a need-to-know basis. The files are closed to unauthorized personnel. The determination as to which personnel are authorized will vary slightly in different carrier installations. All carriers have guards at the building entrance to prevent intrusion by individuals not employees or not having business with the carrier. One or more of the following security measures are used within the building: Color coded identification cards are used to establish the right of an employee to be in a specific area; cipher locks are used to protect files and computer areas; magnetic identification cards are used to gain access to security sensitive areas; video monitoring of sensitive areas is constant.

Retention and disposal:

Records are closed out the first quarter following the close of the previous calendar year. Files are retained indefinitely.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operation, Director, Division of Carrier Procedures, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for records information should be directed to the carrier servicing the physician's or supplier's geographical area. Individuals who want to determine if they have a record in this system must provide their full name and address.

Record access procedures:

Same as notification procedures. Requesters should reasonably specify the record contents being sought. (These access procedures are in accordance with Department regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the Systems Manager at the address specified above and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations, 45 CFR 5b.7).)

Record source categories:

Information contained in these records is furnished in part by the individual physicians or supplier and in part abstracted from Medicare Part B billing records.

Systems exempted from certain provisions of the Act:

None.

09–70–0517

System name:

Physician/Supplier 1099 File (Statement for Recipients of Medical and Health Care Payments), HHS/HCFA/BPO.

Security classification:

None.

System location:

Carriers and intermediaries under contract to the Health Care Financing Administration and the Social Security Administration (see Appendix C, Section 3, and Section 4.)

Categories of individuals covered by the system:

Physician/suppliers to whom Medicare payments have been made by carriers or intermediaries.

Categories of records in the system:

A record of total Medicare payments made to physicians and suppliers during each calendar year. It contains the name, address and social security number of the physician/provider number of supplier EIN (employer identification number).

Authority for maintenance of the system:

26 U.S.C. 6041 (Internal Revenue Code).

Purpose(s):

For periodic reporting to the IRS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to: (1) This record is disclosable to the Internal Revenue Service in connection with the determination of the individual's self-employment income. (2) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (3) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected. (4) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained on magnetic tape and paper.

Retrievability:

The system is indexed by physician/provider number and supplier EIN (employer's identification numbers).

Safeguards:

Records are maintained in secure storage areas accessible only to authorized personnel.

Retention and disposal:

The records are retained for 5 years.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Carrier Procedures, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for systems records should be directed to the intermediary or carrier who made Medicare payments to the physician/supplier.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

The record of total annual payments made to each physician/supplier is derived from the individual Medicare bill payments.

Systems exempted from certain provisions of the act:

None.

09–70–0518

System name:

Medicare Clinic Physician Supplier Master File, HHS, HCFA, BPO.

Security classification:

None

System location:

Carriers under contract to the Health Care Financing Administration and the Social Security Administration. (See Appendix C, Section 4.)

Categories of individuals covered by the system:

Physicians and suppliers in a clinic who provide medical services or supplies to Medicare beneficiaries.

Categories of records in the system:

A compilation of all charges submitted by a clinic physician or supplier for services or suppliers to (1) derive "reasonable charge" information; (2) determine economic indexes; and (3) to substantiate the basis for payment to beneficiaries, physicians suppliers, and hospitals.

Authority for maintenance of the system:

Sections 1833, 1835, 1842 and 1874 of Title XVIII of the Social Security Act (42 U.S.C. 1395l, 1395n, 1395u, and 1395kk).

Purpose(s):

To determine Medicare reimbursement rates from physician and supplier charge patterns.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to: (1) Professional Standards Organizations and State Licensing Boards for review of unethical practices or nonprofessional conduct; (2) A HCFA contractor for research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA.

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form,

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research of health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law;

d. Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(3) HCFA health insurance program review teams;

(4) A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

(5) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected;

(6) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tape, microfilm, and hard copy paper.

Retrievability:

The records are indexed for individual identification by clinic physician provider numbers and supplier EIN (employer's identification number). The records are prepared and updated daily by carriers as a basis for determining reasonable charges and area prevailing charges.

Safeguards:

Disclosure of records to carrier personnel is limited to a need-to-know basis. The files are closed to unauthorized personnel. The determination as to which personnel are authorized will vary slightly in different carrier installations. All carriers have guards at the building entrance to prevent intrusion by individuals not employees or not having business with the carrier. One of more of the following security measures are used within the building: Color coded identification cards are used to establish the right of an employee to be in a specific area; cipher locks are used to protect files and computer areas; magnetic identification cards are used to gain access to security sensitive areas; videomonitoring of sensitive areas is constant.

Retention and disposal:

Records are closed out the first quarter following the close of the previous year. Files are retained indefinitely.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Carrier Procedures, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for records information should be directed to the carrier servicing the clinic physician's or supplier's geographical area. Individuals who want to determine if they have a record in this system must provide their full name and address.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the official at the address specified under System Manager above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations, 45 CFR 5b.7.)

Record source categories:

Information contained in these records is furnished in part by the individual clinic physician or supplier and in part abstracted from Medicare part B billing records.

Systems exempted from certain provisions of the act:

None.

09-70-0520

System name:

End Stage Renal Disease (ESRD) Program Management and Medical Information System (PMMIS), HHS/HCFA/BDMS.

Security classification:

None.

System location:

HCFA Data Center, Lyon Building, 7131 Rutherford Road,
Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Persons with ESRD who receive Medicare benefits or ESRD patients who are treated by Department of Veterans Affairs (DVA) health care facilities.

Categories of records in the system:

The system includes records on beneficiaries/patients and on providers of service.

Beneficiary/patient records include personal, medical, and payment data taken from several nonreimbursement data collection instruments and from Medicare bills. These records include individual identifiers; demographic and enrollment data; and dialysis, kidney transplant, and death information.

The provider of service records include the provider's name and address; the Medicare identification number (or PMMIS identification in the case of DVA health care facilities); types of renal services available; certification and/or termination date; the Medicare fiscal intermediary; and the ESRD network number.

Annual ESRD aggregate patient treatment survey data are included for both Medicare and DVA health care facilities.

Authority for maintenance of the system:

Sections 226A, 1875, and 1881 of the Social Security Act (42 U.S.C. 426-1, 139511, and 1395rr.).

Purpose(s):

To meet and implement statutory requirements of Section 299I, Public Law 92-603, which extended Medicare coverage to eligible persons with ESRD; Public Law 95-292, which required the establishment of a medical information system on the ESRD program; Public Law 99-509, which mandated a national ESRD patient registry; to support State and local ESRD programs and legislative requirements; and to support ESRD research and public service programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

1. A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

2. Organizations deemed qualified by the Health Care Financing Administration to carry out quality assessment, and/or medical audits of utilization review.

3. The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components;

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. An individual or organization for a research, demonstration, evaluation, or epidemiologic project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or ob- ained;

b. Determines that the research purpose for which the disclosure is o be made:

(1) Cannot be reasonably accomplished unless the record is provid- d in individually identifiable form, and

(2) Is of sufficient importance to warrant the effect and/or risk on he privacy of the individual that additional exposure of the record night bring, and

(3) There is reasonable probability that the objective for the use vould be accomplished.

c. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safe- uards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual o be identified at the earliest time at which removal or destruction an be accomplished consistent with the purpose of the research roject, unless the recipient presents an adequate justification of a esearch or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of ny individual, or

(b) For use in another research project, under these same condi- ons, and with written authorization of HCFA, or

(c) For disclosure to a properly identified person for the purpose an audit related to the research project, if information that would able research subjects to be identified is removed or destroyed at e earliest opportunity consistent with the purpose of the audit, or

(d) When required by law;

d. Secures a written statement attesting to the recipient's under- anding of and willingness to abide by these provisions.

5. To a contractor for the purpose of collating, analyzing, aggre- ting or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to the contractor incidental to consultation, programming, operation, user assistance,or maintenance, for ADP or telecommunications systems containing or supporting records in the system.

6. To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained;

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made:

(1) Cannot reasonably be accomplished unless the data are provided individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual(s) that additional exposure of the record might bring, and;

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record;

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA;

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following:

(a) Not to use the data for purposes that are not related to the evaluation of cost, quality, and effectiveness of care;

(b) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(c) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Electronic medium and selected hard copy backup.

Retrievability:

Data may be retrieved from beneficiary records by health insurance claim number (HIC) or the DVA identification number, or by individual name; and from the provider of service records by Medicare identification number or, for DVA health care facilities, the PMMIS facility identification number.

Safeguards:

Employees who maintain records in this system will be instructed to grant access only to authorized users. Data stored in computers will be accessed through the use of passwords, keywords, numbers, or some combination thereof known only to the authorized personnel. These passwords, keywords, or numbers will be changed in accordance with HCFA systems security guidelines.

Privacy Act requirements will be specifically included in contracts related to this system. The project officer and contract officer will oversee compliance with these requirements. The particular safeguards implemented will be developed in accordance with the HHS, Information Resource Manual (IRM), Part 6, "Systems Security Policies" (i.e., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hard copy is destroyed after 1 year by shredding. All other information is maintained indefinitely.

System manager(s) and address:

Director, Bureau of Data Management and Strategy, Health
Care Financing Administration, Room 126, Security Office
Park Building, 6325 Security Boulevard, Baltimore, Maryland
21207.

Notification procedure:

An individual requesting notice as to whether the system of records contains information pertaining to him/her should write to the System Manager, at the above address, indicating his/her full name, current address (including ZIP CODE), and health insurance claim number or DVA identification number.

Record access procedure:

Same as notification procedures. Requesters should reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Records, or information in records, may be contested by writing to the System Manager named above and reasonably identifying the record, specifying the information to be contested, and stating the reason for contesting the record (e.g., it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

Information contained in these records is obtained from Medicare ESRD medical evidence reports, kidney transplant reports, ESRD beneficiary reimbursement method selection forms, ESRD death notification forms, Medicare bills, HCFA Medicare Master Files, ESRD facility surveys, ESRD facility certification notices, and the Medicare/Medicaid Automated Certification System (MMACS).

Systems exempted from certain provisions of the act:

None.

09–70–0522

System name:

Billing and Collection Master Record System, HHS/HCFA/BPO.

Security classification:

None.

System location:

Bureau of Program Operations, HCFA, 6325 Security Blvd., Baltimore, Maryland 21207

Bureau of Data Management and Strategy, HCFA, 6325 Security Blvd., Baltimore, Maryland 21207

Office of Claims and Payment Requirements, SSA, 6401 Security Blvd., Baltimore, Maryland 21235.

Social Security Administration Program Service Centers

Division of International Operations (see Appendices A and B at the end of the notices for the Social Security Administration)

Categories of individuals covered by the system:

This system contains records of all retirement, survivors, disability, or health insurance beneficiaries entitled to hospital insurance and/or supplementary medical insurance who are, or have been, subject to direct billing for insurance premiums. This includes individuals who: (1) Are currently being billed directly for insurance premiums; and (2) are not currently in direct billing status but have either a premium arrearage (or overpayment) of record or were at one time in direct billing status. It does not contain a record of any hospital or supplementary medical insurance enrollee who has had premiums deducted from monthly benefits or paid through a third party payer arrangement continuously from the initial month of entitlement.

Categories of records in the system:

It contains identifying information as well as information regarding entitlement to hospital or supplementary medical insurance, current address information, individual records of premium, payments, premium adjustments, refunds of excess payments, and current amounts due.

Authority for maintenance of the system:

Sections 1840(e) and 1871 of the Social Security Act (42 U.S.C. 1395s(e) and 1395hh).

Purpose(s):

To provide a master record of billing and collection for all retirement, survivors, disability, and health insurance beneficiaries entitled to hospital insurance and/or supplementary medical insurance who are, or have been, subject to direct billing for Medicare insurance premiums. Monthly record updates are provided to the Social Security Administration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) To a "lock box" contractor. An extract of this file (name, address, claim numbers, premium liability, period of liability, and termination date, when necessary) will be provided in order to (a) print and release the Medicare premium bills, (b) process the returned remittance in a secure "lock box" operation, and (c) prepare a transaction tape for transmission to HCFA. ("Lock box" is a remittance process performed under security to assure non-access to remittance information by unauthorized personnel or the public.)

(4) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Primary record storage is by magnetic tape and disk. Monthly updates of the record are also provided to the Social Security Administration in microform records.

Retrievability:

Magnetic tape, disk and microform records are indexed by social security number, or claim account numbers, it is used to: (1) Generate monthly and quarterly premium billing notices; (2) record and process premium payments and adjustments; (3) refund excess premium payments; (4) terminate hospital and/or supplementary medical insurance coverage for non-payment of premiums; (5) reverse termination actions; (6) maintain a history of premium payments, adjustments, or other events which alter the billing status; and (7) provide up-to-date premium and billing information to Health Care Financing Administration and Social Security Administration clerical and electronic operations. Information is used to respond to specific beneficiary inquiries or to facilitate the proper adjustment of social security benefit payments. Information is also accessed electronically by social security benefit programs for the proper adjustment of payment amounts.

Safeguards:

Magnetic tape, and disk records are protected through standard security measures used for all of Social Security Administration's computer records: Microform records are subject to the same rules and security as all other information in Social Security Administration relating to claims and beneficiary records: Limited access to Social Security Administration offices; limited employee access to need to know.

Retention and disposal:

Microfilm and tape records can routinely be sent to the Federal Records Center after 2 years. However, since this record is updated monthly, even though the physical records are released to the Federal Records Center, current record will contain full history of all transactions. An inactive tape file, i.e., a file containing the records of cases where the enrollee has died, been in payment status for 2 or more years, etc., is maintained in each program service center. This file currently has no disposal schedule.

System manager(s) and address:

Health Care Financing Administration, Bureau of Program Operations, Director, Division of Entitlement Requirements, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

In order to ascertain whether or not this system contains information about him/her, an individual should contact the most convenient social security office and provide health insurance claim number as shown on Medicare health insurance card.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHHS Regulations, 45 CFR Part 5b.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with DHHS Regulations, 45 CFR Part 5b.

Record source categories:

The identification and entitlement/termination information for this system is extracted from Social Security Administration's Master Beneficiary Record. All other information is compiled from the individual's premium billing and payment histories.

Systems exempted from certain provisions of the act:

None.

09–70–0525

System name:

Medicare Physician Identification and Eligibility System (MPIES), HHS/HCFA/BPO.

Security classification:

None.

System location:

Health Care Financing Administration (HCFA) (Paper Media), 6325 Security Boulevard, Baltimore, Maryland 21207. (Contact system manager for location of Magnetic Media computerized records.) Medicare Carriers (See Appendix A).

Categories of individuals covered by the system:

All physicians, as defined by section 1861(r) of Title XVIII of the Social Security Act who request and/or receive Medicare reimbursement for their medical services.

Categories of records in the system:

The system contains a unique physician identification number (UPIN) for each physician and information concerning a physician's birth, residence, medical education, and eligibility information for Medicare reimbursement.

Authority for maintenance of the system:

Section 9202(g) of Pub. L. 89–272; 1832(a)(2) (B)(i) and (F); 1833(a)(1)(C) and (G); 1842(a)(1), (b)(3)(B)(ii), (b)(3)(D), (b)(7)(C), (b)(7)(D), (h)(1), (h)(4), (h)(5), and (J); 1861(q), (r), (s)(1) and (aa)(1)(A); and 1862 of Title XVIII of the Social Security Act.

Purpose(s):

To maintain unique identification of each physician requesting and/or receiving Medicare reimbursement.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to:

(1) A contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

(2) A congressional office from the record of an individual physician in response to an inquiry from the congressional office at the request of that individual physician.

(3) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

(4) Professional Review Organizations in connection with their review of claims, or in connection with studies or other review activities, conducted pursuant to Part B of Title XI of the Social Security Act.

(5) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) The Department of Health and Human Services (HHS), or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her official capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

Is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the government party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(6) The Department of Justice for investigation and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

(7) State Licensing Boards for review of unethical practices or nonprofessional conduct.

(8) To the American Medical Association (AMA), for the purpose of attempting to identify medical doctors when the Registry is unable to establish identity after matching carrier-submitted data to the data extract provided by the AMA. The AMA would attempt to establish medical doctor identity by matching the Registry's MPIES data to data in the AMA Physician Masterfile.

The AMA agrees:

a. To use the Registry's MPIES data solely for an attempted match as described above;

b. To make no copies of the MPIES data it receives from the Registry, except for one back-up copy;

c. To return the MPIES data to the Registry upon completion of its matching operation, and erase back-up copies of the MPIES data;

d. To establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the records; and,

e. To sign a written statement attesting to its understanding of and willingness to abide by these provisions.

(9) To an individual or organization for research or evaluation, if HCFA:

a. Determines that the proposed use does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the proposed use is to be made:

(i) Cannot be reasonably accomplished unless the record is provided in a form that identifies individuals,

(ii) Is of sufficient importance to warrant the effect on/or risk to the privacy of the individual which such limited additional exposure of the record might bring, and

(iii) There is a reasonable probability that the objective of the use would be accomplished;

c. Requires the recipient of the information to:

(i) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(ii) Remove or destroy the information that enables the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from HCFA that it is justified based on research objectives for retaining such information, and

(iii) Make no further use of the record except:

(a) For use in another research project, under emergency circumstance affecting the health or safety of any individual, following written authorization of HCFA,

(b) For disclosure to an indentified person approved by HCFA for the purpose of auditing the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(c) When further approved by HCFA;

d. Secures a written statement by the recipient of the information attesting to the recipient's understanding of, and willingness to abide by, these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are retrieved alphabetically by the physicians' name or by their UPIN.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in contracts related to this system.

d. Implementation Guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with HHS ADP Systems Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records are retained indefinitely, except in the instance of a physician's death, in which case HCFA would retain such records for a 10 year period following the physician's death.

System manager(s) and address:

Director, Bureau of Program Operations, Health Care Financing Administration, Room 300 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the physician's name, date of birth, and medical school.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it; e.g., why it is inaccurate, irrelevant, incomplete or not current. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from carriers. Information in these records concerning physicians' eligibility for Medicare reimbursement is obtained either directly or through Medicare Regional Offices, contractors, and PROs; from the Department of Justice; State or local judicial systems; medical licensing and certification agencies or organizations; and medical societies and associations.

Systems exempted from certain provisions of the act:

None.

Appendix A—Medicare Carriers

Medicare Coordinator, Blue Cross and Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Vice President for Medicare and Medical Services, Arkansas Blue Cross and Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, California Physicians Service, (d/b/a Blue Shield of California), P.O. Box 7013, No. 2 Northpoint, San Francisco, California 94120

Medicare Coordinator, Transamerica Occidental Life Insurance Company, P.O. Box 54905 Terminal Annex, Los Angeles, California 90054

Assistant Vice President, Rocky Mountain Hospital and Medical Service, (d/b/a Blue Cross and Blue Shield of Colorado), 700 Broadway, Denver, Colorado 80273

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06183

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross and Blue Shield of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32231

Health Care Service Corporation, 233 North Michigan Avenue, Chicago, Illinois 60601

Associated Insurance Companies, Inc. (d/b/a Blue Cross and Blue Shield of Indiana), 8320 Craig Street, Suite 100, Indianapolis, Indiana 46250-0453

Assistant Executive Director, Blue Shield of Iowa, Ruan Building, 636 Grand Avenue Station 28, Des Moines, Iowa 50309

Medicare Assistant, Blue Cross and Blue Shield of Kansas, Inc., P.O. Box 239, Topeka, Kansas 86601

Blue Cross and Blue Shield of Kentucky, Inc., 100 East Vine Street, 6th Floor, Lexington, Kentucky 40517

Medicare Coordinator, Blue Cross and Blue Shield of Maryland, Inc., 700 E. Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator Part B, Blue Shield of Massachusetts, Inc., 100 Summer Street, Boston, Massachusetts 02110

Assistant Vice President, Government Affairs Department, Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Michigan 48228

Blue Cross and Blue Shield of Minnesota, P.O. Box 64357, 3535 Blue Cross Road, St. Paul, Minnesota 55164

Vice President Government Programs, Blue Cross and Blue Shield of Kansas City, P.O. Box 169, Kansas City, Missouri 64141

Director, Medicare Administration Genral American Life Insurance Co., P.O. Box 505, St. Louis, Missouri 63166

Blue Cross and Blue Shield of Montana, Inc., P.O. Box 4309, 404 Fuller Avenue, Helena, Montana 59601

Medicare Coordinator, Prudential Insurance Co. of America, Tri-City Office Drawer 471, Millville, New Jersey 08332

Director of Medicare Part B, Blue Shield of Western New York, Inc., 298 Main Street, Buffalo, New York 14202

Medicare Coordinator, Group Health Insurance, Inc., 330 West 42nd Street, New York, New York 10036

Medicare Coordinator, Empire Blue Cross and Blue Shield, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, EQUICOR, Inc., 1285 Avenue of the Americas, New York, New York 10019

Medicare Coordinator, Blue Cross and Blue Shield of North Dakota, 4510 13th Avenue, S.W., Fargo, North Dakota 58121

Medicare System and Processing Division, Nationwide Mutual Insurance Company, P.O. Box 16788, Columbus, Ohio 43216

Medicare Coordinator, Pennsylvania Blue Shield, P.O. Box 65, Camp Hill, Pennsylvania 17011

Chief, Internal Operations, Sequros de Servico de Salud de Puerto Rico, Inc., G.P.O. Box 3628, San Juan, Puerto Rico 00936-3628

Medicare Coordinator, Blue Cross and Blue Shield of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator Blue Cross and Blue Shield of South Carolina, Fontaine Business Center, 300 Arbor Lake Drive, Suite 1300, Columbia, South Carolina 29223

Blue Cross and Blue Shield of Texas, Inc., 901 South Central Expressway, P.O. Box 833815, Richardson, Texas 75083-3615

Manager, Part B, Blue Cross and Blue Shield of Utah, P.O. Box 30270, 2455 Parley's Way, Salt Lake City, Utah 84130

Assistant Administrator, Washington Physicians Service, 4th and Battery Building, 2401 4th Avenue, 6th Floor, Seattle, Washington 98121

Director, Medicare Claims Department, Wisconsin Physicians' Service Insurance, Corp., 1717 West Broadway, Monona, Wisconsin 53713.

09-70-0526

System name:

Common Working File (CWF).

Security classification:

None.

System location:

Contact system manager for location of records.

Categories of individuals covered by the system:

Medicare beneficiaries.

Categories of records in the system:

The system contains all information on Medicare Part A and Part B beneficiary enrollment, entitlement, utilization, query and reply activity, worker's compensation, Veterans Administration (VA) entitlement, and Medicare secondary payer records containing other party liability insurance information necessary for appropriate Medicare claim payment. The categories of records are Health Insurance Master Record, Party A intermediary Medicare Claims Record, Part B Carrier Claims Record, Medicare Secondary Payer Record, Third Party Liability Record, Medicaid Entitlement Record, Health Maintenance Organizations Record, and Hospice Record.

Authority for maintenance of the system:

Section 1816 and 1874 of Title XVIII of the Social Security Act (42 U.S.C. 1395h and 1395kk).

Purpose(s):

To properly pay madical insurance benefits to or on behalf of entitled beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to:

(1) Claimants, their authorized representatives or representative payees to the extent necessary to pursue claims made under Title XVIII of the Social Security Act (Medicare).

(2) Third-party contacts (without the consent of the individuals to whom the information pertains) in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage his or her affairs or to his or her eligibility for or entitlement to benefits under the Medicare program when:

(a) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: Individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following; the individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of system activities.

(3) Third-party contact where necessary to establish or verify information provided by representative payees or payee applicants.

(4) The Treasury Department for investigating alleged theft, forgery, or unlawful negotiation of Medicare reimbursement checks.

(5) The U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

(6) The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for respresenting the Secretary, and for investigating issues of fraud by agency officer or employees, or violation of civil rights.

(7) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

(8) Peer Review Organizations in connection with their review claims, or in connection with studies of other review activities, conducted pursuant to Part B of Title XI of the Social Security Act.

(9) State Licensing Board for review of unethical practices or nonprofessional conduct.

(10) Providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries of carriers, for administration of provisions of title XVIII.

(11) An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability; or the restoration or maintenance of health, if HCFA:

(a) Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

(b) Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished:

(c) Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the indiviudal to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purposes of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use for disclosure of the record except for:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law:

Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

(12) State welfare departments pursuant to agreements with the Department of Health and Human Services for administration of State supplementation payment for determination of eligibility for Medicaid, for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act, for quality control studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(13) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of the individual.

(14) State audit agencies in connection with the audit of Medicare eligibility considerations. Disclosures of physicians' customary charge data are made to State audit agencies in order to ascertain the correctness of title XIX charges and payments.

(15) The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(16) Peer review groups, consisting of members of State, County, or local medical societies or medical care foundations (physicians), appointed by the medical society or foundation at the request of the carrier to assist in the resolution of questions of medical necessity, utilization of particular procedures or practices, or overutilization of services with respect to Medicare claims submitted to the carrier.

(17) Physicians and other suppliers of services who are attempting to validate individual items on which the amounts included in the annual Physician/Supplier Payment List or similar publications are based.

(18) Senior citizen volunteers, working in intermediarie's and carrier's offices to assit Medicare beneficiaries in response to beneficiarie's requests for assistance.

(19) A contractor working with Medicare carriers/intermediaries to identify and recover erroneous Medicare payments for which workers' compensation programs are liable.

(20) State and other governmental Workers' Compensation Agencies working with the Health Care Financing Administration to coordinate benefits payable under the Medicare program with benefits payable under workers' compensation programs.

(21) Insurance companies, self-insurers, Health Maintenance Organizations, multiple employer trusts and other groups providing protection against medical expenses of their enrollees. Information to be disclosed shall be limited to Medicare entitlement data. In order to receive this information the entity must agree to the following conditions:

(a) To certify that the individual on whom the information is being provided is one of its insureds;

(b) To utilize the information solely for the purpose of processing the identified individual's insurance claims; and

(c) To safeguard the confidentiality of the data and to prevent unauthorized access to it.

(22) To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Date

would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

(23) To an agency of a State Government, or established by State law, for purposes of determining, evaluating and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

(a) Determines that the use or disclosure does not violate legal limitations under which the data were provided, collected, or obtained;

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act;

c. Determines that the purpose for which the disclosure is to be made;

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individuals that additional exposure of the record might bring, and;

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record,

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification for retaining such information;

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual;

(b) For use in another project under the same conditions, and with written authorization of HCFA:

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would enable project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the prupose of the audit, or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following:

(1) Not to use the data for purposes that are not related to the evaluation of cost, quality, and effectiveness of care;

(2) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary-specific and must be aggregated to a level when no data cells have ten or fewer beneficiaries); and

(3) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic media (Magnetic Tape, Disks, Microfiche).

Retrievability:

Records are retrieved by the Health Insurance Claim Number.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in contracts related to this system.

d. Implementation Guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and Human Services (HHS). Safeguards for automated records have been established in accordance with the HHS' Automated Data Processing Manual, Part 6, "ADP System Security".

Retention and disposal:

Records are retained for an indefinite period of time dependent on individual beneficiary coverage.

System manager(s) and address:

Director, Bureau of Program Operations, Health Care Financing Administration, Room 300, Meadows East Building, 6325 Security Boulevard, Baltimore, MD 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the Health Insurance Claim Number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (The procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above and identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete or not current). (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).)

Record source categories:

The data contained in these records is furnished by the individual. In most cases, the identifying information is provided to the physician by the individual. The record source categories are the Health Insurance Master Record, Part A Intermediary Medical Claims Record, Part B Carrier Medicare Claims Record, Medicare Secondary Payer Record, Third Party Liability Record, Medicaid Entitlement Record, Health Maintenance Organizations Record, and Hospice Record.

Systems exempted from certain provisions of the act:

None.

09–70–0527

System name:

HCFA Utilization Review Investigatory Files HHS/HCFA/BPO.

Security classification:

None.

System location:

See Appendix A.

Categories of individuals covered by the system:

Persons or entities alleged to have violated the provisions of the Social Security Act related to the Medicare (Title XVIII) or Medicaid (Title XIX) program or other criminal statutes as they pertain to Social Security Act programs where substantial basis for criminal prosecution exists, defendants in criminal prosecution cases, or persons or entities alleged to have abused the Medicare or Medicaid program. This last category of individuals would, for example, include persons or entities alleged to have rendered unnecessary services to medicare beneficiaries and/or Medicaid recipients, overutilized services, engaged in improper billing procedures, or breached the assignment agreement. Also included are persons or entities chosen as subjects of a validation review.

Categories of records in the system:

Information maintained in each record includes the identity of individual(s) chosen for validation review or the suspect of utilization review, the area of service under validation study or the nature of the alleged offense, documentation of the investigation into the alleged offense (including identification of beneficiaries, recipients and witnesses, statements, medical records, payment records, or complaints from beneficiaries recipients and others, correspondence and forms, documentation of complaints, and reports of medical review committees or consultants (including professional review organizations), and the disposition fo the case by the HCFA Regional Office, Office of the Inspector General, Medicaid State agency or State Medicaid Fraud Control Unit, or the U.S. Attorney.

Authority for maintenance of the system:

Sections 205, 1106, 1107, 1815, 1816, 1833, 1842, 1872, 1874, 1876, 1877, and 1902 of the Social Security Act. (42 U.S.C. 405, 1306, 1307, 1395g, 1395h, 1395l, 1395u, 1395ii, 1395kk, 1395mm, 1395nn, and 1396a)

Purpose(s):

To determine if a violation of a provision of the Social Security Act of related penal or civil provision of the United States Code has been committed; to determine if HHS has made proper payments as prescribed under sections 1815 and 1833 of the Security Act and whether the Medicare or Medicaid programs have been abused; and to coordinate Title XVIII and Title XIX investigations and prevent duplication. HCFA discloses case file material to the HHS Office of the Inspector General when a case is referred for full fraud investigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

HCFA uses material in this system as the basis for referral of the case to the HHS Office of the Inspector General or the:

(1) Department of Justice for consideration of criminal prosecution or civil action or to

(2) State or local licensing authorities (including State medical review boards), professional review organizations, peer review groups, medical consultants, or other professional associations for possible administrative action.

(3) HCFA discloses such information to officers or employees of State governments as well as the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) program for use in conducting or directing investigations of possible fraud or abuse against the Title XVIII, XIX, or CHAMPUS programs, as well as State attorneys in connection with State programs involving the Health Care Financing Administration.

(4) HCFA also uses the material to determine the direction of investigation of potential fraud or abuse situations which includes contact with third parties for the purpose of establishing or negating a violation.

(5) HCFA discloses cases involving fraudulent tax returns or forger of Medicare checks to the:

(a) Treasury Department;

(b) To the postal authorities, and to appropriate law enforcement agencies.

(6) HCFA may make disclosures to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

(7) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS, or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof where HHS determines that litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determined that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files maintained in locked file cabinets.

Retrievability:

The staff indexes and retrieves records by case number or by the name of the subject of the investigation.

Safeguards:

The system is maintained in accordance with the requirements of the DHHS ADP System Manual, Part 6, "Systems Security." HCFA keeps the file cabinets locked in a room that is locked after office hours. No one has access to the files room except HCFA Regional Office staff and other authorized personnel on a need to know basis.

Retention and disposal:

HCFA places the records in an inactive file after final action on the case. It closes out the inactive file at the end of the calendar year in which final action was taken, holds it 2 additional years, transfers it to the Federal Records Center, who destroys it after 3 additional years.

System manager(s) and address:

Director, Bureau of Program Operations, Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

An individual can determine if this system contains a record pertaining to an active abuse investigation or a closed fraud or abuse investigation of which the individual is/was a subject by requesting such information in writing. He or she should direct inquiries to HCFA, Bureau of Program Operations, Office of Program Validation; 6325 Security Boulevard, Baltimore, MD 21207 or the appropriate HCFA Regional Office (see app. C.2).

Under 5 U.S.C. 552a(k)(2), case files on active fraud investigation cannot determine if this system contains a record pertaining to an active fraud investigation of which the individual is a subject.

These notifications procedures are in accordance with Department regulations (45 CFR 5b.5).

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents they seek. As with the notification procedure above, case files on active fraud investigations are exempt from access by the individuals who are the subjects of the investigations pursuant to 5 U.S.C. 552a(k)(2). However, access to information which is a matter of public record or documents which the individual furnished will be permitted. These access procedures are in accordance with Department regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the appropriate official at the address specified under notification procedures above, reasonably identify the record and specify the information to be contested. State the corrective action sought and the reason for the correction with supporting justification. (These procedures are in accordance with Department regulations—45 CFR 5b.7).)

Record source categories:

The information contained in this record systems is the result of a criminal or program abuse investigation and may be derived from such sources as the suspect, beneficiaries, witnesses, professional review organizations, professional or peer view committees, medical consultants, Title XIX State agencies or State Medicaid Fraud Control Units, Social Security Administration, Health Care Financing Administration, carrier or intermediary employees with a knowledge of the case.

Systems exempted from certain provisions of the act:

HHS claims exemption of certain records (case files on active fraud investigations) in this system from the notification and access procedures under 5 U.S.C. 552a(k)(2) inasmuch as these records are investigatory materials complied for program (law) enforcement in anticipation of a criminal or administrative proceedings. (See Department Regulations (45 CFR 5b.11))

A. Health Insurance Claims

Medicare records are maintained at the HCFA Central Office (see section 1 below for the address). Health insurance records of the Medicare progarm can also be accessed through a representative of the HCFA Regional Office (see section 2 below for addresses). Medicare claims records are also maintained by private insurance organizations who share in administering provisions of the health insurance program. These private insurance organizations, referred to as carriers and intermediaries, are under contract to the Health Care Financing Administration and the Social Security Administration to perform specific tasks in the Medicare program. See section 3 below for addresses for intermediaries and section 4 addresses for carriers.

1. Central Office Addresses:

Bureau of Program Operations, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15–4:45.

Bureau of Data Management and Strategy, HCFA. Office of Health Program Systems, Room 1705, Equitable Building, 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15–4:45

2. HCFA Regional Office Addresses:

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building, Room 1211; Boston, Massachusetts 02203. Office Hours: 8:30–5:00

NEW YORK REGION—New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza—Room 715, New York, New York 10007. Office Hours: 8:30–5:00

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

P.O. Box 8460, Philadelphia, Pennsylvania 19101. Office Hours: 8:30–5:00

ATLANTA REGION—Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Street, Suite 702, Atlanta, Georgia 30223, Office Hours 8:00–4:30

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Suite A—824, Chicago, Illinois 60604. Office Hours: 8:15–4:45

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Building, Dallas, Texas. Office Hours: 8:00–4:30

KANSAS CITY REGION—Iowa, Kansas, Missouri, Nebraska

New Federal Office Building, 601 East 12th Street—Room 436, Kansas City, Missouri 64106. Office Hours: 8:00–4:45

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, 1961 Stout St—Room 1185, Denver, Colorado 80294. Office Hours: 8:00–4:30

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada

Federal Office Building, 10 Van Ness Avenue, 20th Floor, San Francisco, California 94102. Office Hours: 8:00–4:30

SEATTLE REGION—Alaska, Idaho, Oregon, Washington

1321 Second Avenue—Room 615, Mail Stos 211, Seattle, Washington 98101. Office Hours 8:00–4:30

3. Intermediary Addresses (Hospital Insurance):

Medicare Coordinate, Blue Cross/Blue Shield of Alabama, 450 Riverchase Parkway East. Birmingham, Alabama 35298

Medicare Coordinator, Blue Cross of Arizona, Inc., P.O. Box 13466, Phoenix, Arizona 85002

Medicare Coordinator, Arkansas Blue Cross/Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, Blue Cross of Southern California, P.O. Box 70000, Van Nuys, California 91470

Medicare Coordinator, Blue Cross of Northern California, 1950 Franklin Street, Oakland, California 94659

Medicare Coordinator, Kasier Foundation Health Plan, Inc., 1956 Webster Street, Room 310A Oakland, California 94612

Medicare Coordinator, Rocky Mountain Hospital and Medical Service, 700 Broadway, Denver, Colorado 80203

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross/Blue Shield Connecticut, 370 Bassett Rd., North Haven, Connecticut 06473

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06115

Triage, Inc., 719 Middle Street, Bristol Connecticut 06019

Medicare Coordinator, Blue Cross/Blue Shield of Delaware, Inc., 201 West 14th Street, Wilmington, Delaware 19899

Medicare Coordinator, Group Hospitalization, Inc., 550 12th Street, SW., Washington, DC 20024

Medicare Coordinator, Blue Cross of Florida, Inc., P.O. Box 1789, Jacksonville, Florida 32201

Medicare Coordinator, Blue Cross of Georgia/Columbus, P.O. Box 7368, Columbus, Georgia 31908

Medicare Coordinator, Blue Cross of Georgia/Atlanta, P.O. Box 4445, Atlanta, Georgia 30302

Medicare Coordinator, Hawaii Medical Service Association, P.O. Box 860, Honolulu, Hawaii 96808

Medicare Coordinator, Blue Cross of Idaho, Inc., P.O. Box 7480, Boise, Idaho 83707

Medicare Coordinator, Health Care Service Corp., 233 North Michigan Avenue, Chicago, Illinois 60601

Medicare Coordinator, Mutual Hospital Insurance, Inc., 120 West Market Street, Indianapolis, Indiana 46204

Medicare Coordinator, Blue Cross of Iowa, Ruan Building, 636 Grant Avenue, Station 28, Des Moines, Iowa 50307

Medicare Coordinator, Blue Cross of Western Iowa and S. Dakota, Third and Pierce Street, Sioux City, Iowa 51102

Medicare Administrator, Kansas Hospital Service Association, Inc., P.O. Box 239, Topeka, Kansas 66601

Medicare Coordinator, Blue Cross and Blue Shield of Kentucky, Inc., 9901 Linn Station Road, Louisville, Kentucky 40223

Medicare Coordinator, Louisiana Health Service and Indemnity Company, 2718A Wooddale Blvd., Baton Rouge, Louisiana 70805

Medicare Coordinator, Associated Hospital Service of Maine, 110 Free Street, Portland, Maine 04101

Medicare Coordinator, Maryland Blue Cross, Inc., 700 East Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator, Part A, Blue Cross of Mass., Inc., 100 Summer Street, Boston, Massachusetts 02106

Medicare Coordinator, Blue Cross of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Medicare Coordinator, Blue Cross of Minnesota, 3535 Blue Cross Road, St. Paul, Minnesota 55765

Medicare Coordinator, Blue Cross of Miss., P.O. Box 1043, Jackson, Mississippi 39205

Medicare Coordinator, Blue Cross Hospital Service of Missouri, 4444 Forest Park Boulevard, St. Louis, Missouri 63108

Medicare Coordinator, Blue Cross of Montana, P.O. Box 5017, Great Falls, Montana 59403

Medicare Coordinator, Mutual of Omaha Ins. Co., Box 456 Downtown Station, Omaha, Nebraska 68101

Medicare Coordinator, Blue Cross of Nebraska, P.O. Box 3248, Main Post Office Station, Omaha, Nebraska 68103

Medicare Coordinator, New Hampshire Vermont Health Service, 2 Pillsbury Street, Concord, New Hampshire 03306

Medicare Coordinator, Hospital Service Plan of New Jersey, 33 Washington Street, Newark, New Jersey 07102

Medicare Coordinator, Prudential Ins. Co. of America, Drawer 471, Millville, New Jersey 08332

Medicare Coordinator, New Mexico Blue Cross Inc., 12800 Indian School Rd., N.E., Albuquerque, New Mexico 87112

Medicare Coordinator, B/C-B/S of New York, 622 Third Avenue, New York New York 10017

Medicare Coordinator, North Carolina B/C-B/S. P.O. Box 2291, Durham, North Carolina 27702

Medicare Coordinator, Blue Cross of North Dakota, 4510 13th Avenue, S.W., Fargo, North Dakota 58121

Medicare Coordinator, B/C of N.W. Ohio, P.O. Box 943, Toledo, Ohio 43601

Medicare Coordinator, B/C of N.E. Ohio, 2066 East Ninth Street, Cleveland, Ohio 44115

Medicare Coordinator, Hospital Care Corporation, 1851 William Howard Taft Road, Cincinnati, Ohio 45206

Medicare Coordinator, Nationwide Mutual Insurance Co., P.O. Box 1625, Columbus, Ohio 43216

Medicare Coordinator, B/C of Central Ohio, P.O. Box 16526, Columbus, Ohio 43216

Medicare Coordinator, Blue Cross of Oklahoma, 1215 South Boulder, Tulsa, Oklahoma 74119

Medicare Coordinator, Northwest Hospital Service, P.O. Box 1271, Portland, Oregon 97201

Medicare Coordinator, Blue Cross of Greater Philadelphia, 1333 Chestnut Street, Philadelphia, Pennsylvania 19107

Medicare Coordinator, Blue Cross of Western Pennsylvania, One Smithfield Street, Pittsburgh, Pennsylvania 15222

Medicare Coordinator, B/C of N.E. Pennsylvania, 70 North Main Street, Wilkes-Barre, Pennsylvania 18711

Medicare Coordinator, Hospital Service Plan of Lehigh Valley, 1221 Hamilton Street, Allentown, Pennsylvania 18102

Medicare Coordinator, Capital Blue Cross, 100 Pine Street, Harrisburg, Pennsylvania 17101

Cooperative de Seguros de Vida de Puerto Rico, G.P.O. Box 3428, San Juan, Puerto Rico 00936

Blue Cross of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross of S.C. Columbia, South Carolina 29219

Medicare Coordinator, Blue Cross of Tennessee, Blue Cross Bldg., Chattanooga, Tennessee 37402

Medicare Coordinator, Group Hospital Service, Inc., P.O. Box 22146, Dallas, Texas 75222

Medicare Coordinator, B/C of Utah, P.O. Box 30270, Medicare A, Salt Lake City, Utah 84130

Medicare Coordinator, B/C of S.W. Virginia, P.O. Box 13047, 3959 Electric Rd. Roanoke, Virginia 24045

Medicare Coordinator, Blue Cross of Virginia, P.O. Box 27401, Richmond, Virginia 23261

Medicare Coordinator, B/C of Washington/Alaska, Inc., 15700 Dayton Avenue, North, P.O. Box 327, Seattle, Washington 89111

Medicare Coordinator, Parkersburg Hosp. Serv., Inc., P.O. Box 1948, Parkersburg, West Virginia 26101

Medicare Coordinator, Blue Cross Hospital Service Inc., P.O. Box 1353, City Center, West Charleston, West Virginia 25325

Medicare Coordinator, Blue Cross of Northern West Virginia Inc., 20th and Chapline Streets, Wheeling, West Virginia 26003

Medicare Coordinator, Blue Cross/Blue Shield United at Wisconsin, Milwaukee, Wisconsin 53201

Medicare Coordinator, Blue Cross/Blue Shield of Wyoming, P.O. Box 2266, Cheyenne, Wyoming 8200

Health Care Financing Administration, Bureau of Program Operations, Office of Prepaid Operations Staff, 6325 Security Boulevard, Baltimore, Maryland 21207

Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Medicare Carriers

Medicare Coordinator, Blue Cross and Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Vice President for Medicare and Medical Services, Arkansas Blue Cross and Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, California Physicians Service, (d/b/a Blue Shield of California), P.O. Box 7013, No. 2 Northpoint, San Francisco, California 94120

Medicare Coordinator, Transamerica Occidental Life Insurance Company, P.O. Box 54905 Terminal Annex, Los Angeles, California 90054

Assistant Vice President, Rocky Mountain Hospital and Medical Service, (d/b/a Blue Cross and Blue Shield of Colorado), 700 Broadway, Denver, Colorado 80273

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06183

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross and Blue Shield of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32231

Health Care Service Corporation, 233 North Michigan Avenue, Chicago, Illinois 60601

Associated Insurance Companies, Inc., (d/b/a Blue Cross and Blue Shield of Indiana), 8320 Craig Street, Suite 100, Indianapolis, Indiana 46250–0453

Assistant Executive Director, Blue Shield of Iowa, Ruan Building, 636 Grand Avenue, Station 28, Des Moines, Iowa 50309

Medicare Assistant, Blue Cross and Blue Shield of Kansas, Inc., P.O. Box 239, Topeka, Kansas 66601

Blue Cross and Blue Shield of Kentucky, Inc., 100 East Vine Street, 6th Floor, Lexington, Kentucky 40517

Medicare Coordinator, Blue Cross and Blue Shield of Maryland, Inc., 700 E. Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator Part B, Blue Shield of Massachusetts, Inc., 100 Summer Street, Boston, Massachusetts 02110

Assistant Vice President Government, Affairs Department, Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Blue Cross and Blue Shield of Minnesota, P.O. Box 64357, 3535 Blue Cross Road, St. Paul, Minnesota 55164

Vice President Government Programs, Blue Cross and Blue Shield of Kansas City, P.O. Box 169, Kansas City, Missouri 64141

Director, Medicare Administration, General American Life Insurance Co., P.O. Box 505, St. Louis, Missouri 63168

Blue Cross and Blue Shield of Montana, Inc., P.O. Box 4309, 404 Fuller Avenue, Helena, Montana 59601

Medicare Coordinator, Prudential Insurance Co. of America, Tri-City Office, Drawer 471, Millville, New Jersey 08332

Director of Medicare Part B, Blue Shield of Western New York, Inc., 298 Main Street, Buffalo, New York 14202

Medicare Coordinator, Group Health Insurance, Inc., 330 West 42nd Street, New York, New York 10036

Medicare Coordinator, Empire Blue Cross and Blue Shield, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, EQUICOR, Inc., 1285 Avenue of the Americas, New York, New York 10019

Medicare Coordinator, Blue Cross and Blue Shield of North Dakota, 4510 13th Avenue, S.W., Fargo, North Dakota 58121

Medicare System and Processing Division, Nationwide Mutual Insurance Company, P.O. Box 16788, Columbus, Ohio 43216

Medicare Coordinator, Pennsylvania Blue Shield, P.O. Box 65, Camp Hill, Pennsylvania 17011

Chief, Internal Operations, Sequros de Servicio de Salud de Puerto Rico, Inc., G.P.O. Box 3628, San Juan Puerto Rico 00936–3628

Medicare Coordinator, Blue Cross and Blue Shield of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross and Blue Shield of South Carolina, Fontaine Business Center, 300 Arbor Lake Drive, Suite 1300, Columbia, South Carolina 29223

Blue Cross and Blue Shield of Texas, Inc.. 901 South Central Expressway, P.O. Box 833815, Richardson, Texas 75083–3815

Manager, Part B, Blue Cross and Blue Shield of Utah, P.O. Box 30270, 2455 Parley's Way, Salt Lake City, Utah 84130

Assistant Administrator, Washington Physicians Service, 4th and Battery Building, 2401 4th Avenue, 6th Floor, Seattle, Washington 98121

Director, Medicare Claims Department, Wisconsin Physicians' Service Insurance, Corp., 1717 West Broadway, Monona, Wisconsin 53713

09–70–0528

System name: Drug Bill Processor Records on Medicare Prescription Drug Beneficiaries.

Security classification: None.

System location: Contact the System Manager for location of records.

Categories of individuals covered by the system: Medicare beneficiaries eligible for the Medicare outpatient prescription drug benefit.

Categories of records in the system: The system contains beneficiary-specific Medicare Part B enrollment data, including name, date of birth, sex, race, Health Insurance Claim Number (HICN), address, marital status, and date of death. It also contains information on Medicare prescription drug benefit entitlement, deductible status, Medicare-covered outpatient prescription drug use history, representative payee name and address, and Medicare secondary payer records containing other party liability insurance information necessary for appropriate Medicare payment.

Authority for maintenance of the system: Section 1842(o)(4) of Pub. L. 100–360.

Purpose(s):

The system is intended to facilitate proper and expeditious payment of Medicare prescription drug benefits to or on behalf of entitled beneficiaries; to allow eligibility for Medicare prescription drug benefits and deductible status to be ascertained at the point of sale; to ensure that beneficiaries who travel or move will not lose credit for payments toward the deductible; to facilitate the prevention of outpatient prescription drug interactions; to allow for prospective and retrospective utilization review. Beneficiary-specific outpatient prescription drug information will be available to authorized personnel of enrolled pharmacies only in instances of potential outpatient prescription drug interactions, and the information available will be limited to the prescription drug(s) implicated.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to:

1. Claimants, their authorized representatives, or their representative payers or payees to the extent necessary to pursue payment of Medicare-covered outpatient prescription drug bills.

2. Third-party contacts (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage her/his affairs or to her/his eligibility for or entitlement to prescription drug benefits under the Medicare program when:

a. The individual is unable to provide the information being sought. An individual is considered to be unable to provide certain types of information when any of the following conditions exist: The individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual.

b. The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual or an authorized representative, and it concerns one or more of the following: The individual's eligibility for prescription drug benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed for the purposes of an audit or as a result of suspected abuse or fraud, concern for program integrity or quality appraisal, or evaluation and measurement of system activities.

3. Federal, State, and local law enforcement authorities for investigating alleged theft, forgery, or unlawful negotiation of Medicare reimbursement checks.

4. The U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

5. The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

6. The Department of Justice, when:

a. HHS or any HHS component,

b. Any HHS employee in her/his official capacity,

c. Any HHS employee in her/his individual capacity, where the Department of Justice (or HHS, where authorized to do so) has agreed to represent the employee, or

d. The United States or any United States agency, where HHS determines that the litigation is likely to affect HHS or any HHS component

is a party to litigation, or has an interest in such litigation, and HHS determines that the use of such records by the Department of

Justice is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, in each case, that HHS determines that such disclosure is compatible with the purpose for which the records were collected.

7. A court or adjudicative body before which HHS is authorized to appear, when:

a. HHS or any HHS component,

b. Any HHS employee in her/his official capacity,

c. Any HHS employee in her/his individual capacity, where HHS has agreed to represent the employee, or

d. The United States or any United States agency, where HHS determines that the litigation is likely to affect HHS or any HHS component

is a party to litigation, or has an interest in such litigation, and HHS determines that the use of such records is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, in each case, that HHS determines that such disclosure is compatible with the purpose for which the records were collected.

8. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

9. Peer Review Organizations in connection with their review of claims, or in connection with studies of other review activities, conducted pursuant to Part B of Title XI of the Social Security Act.

10. Peer review groups, consisting of members of State, County, or local health care societies or health care foundations (health care professionals), appointed by the society or foundation at the request of the processor, carrier, or intermediary to assist in the resolution of questions of medical necessity, over-, under-, or misuse of services or prescription drugs with respect to Medicare claims submitted to the processor, carrier, or intermediary.

11. State Licensing Boards for review of unethical practices or nonprofessional conduct.

12. An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease and disability; or the restoration or maintenance of health, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained and

b. Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form,

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished; and

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record,

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such informaiton, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual,

(b) For use in another research project under these same conditions and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the adiut, or

(d) When required by law;

(4) Furnish a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

13. State welfare departments, pursuant to agreements with the Department of Health and Human Services for administration of State supplementation payments, for enrollment of welfare recipients under the Social Security Act, for quality control studies, for determining eligibility of recipients of assistance under Titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program. Re-release of records is prohibited without the express, written consent of HCFA.

14. State audit agencies in connection with the audit of Medicaid prescription drug benefit eligibility and payment determinations, with respect to recipients who also are (or may be) Medicare beneficiaries.

15. To an agency of a State Government, or established by State law, for purposes of determining, evaluating, and/or assessing cost, effectiveness, and/or the quality of health care services provided in the State, if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained,

b. Establishes that the data are exempt from disclosure under the State and/or local Freedom of Information Act,

c. Determines that the purpose for which the disclosure is to be made:

(1) Cannot reasonably be accomplished unless the data are provided in individually identifiable form,

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the indiviudals that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished; and

d. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record,

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the request, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual,

(b) For use in another project under the same conditions and with written authorization of HCFA,

(c) For disclosure to a properly identified person for the purpose of an audit related to the project, if information that would allow project subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or

(d) When required by law; and

(4) Secure a written statement attesting to the recipient's understanding of and willingness to abide by these provisions. The recipient must agree to the following:

(a) Not to use the data for purposes that are not related to the evaluation of cost, quality, and effectiveness of care,

(b) Not to publish or otherwise disclose the data in a form raising unacceptable possibilities that beneficiaries could be identified (i.e., the data must not be beneficiary specific and must be aggregated to a level in which no data cells have ten or fewer beneficiaries), and

(c) To submit a copy of any aggregation of the data intended for publication to HCFA for approval prior to publication.

16. A congressional office requesting the record of an individual in response to an inquiry from the congressional office at the request of that individual.

17. Senior citizen volunteers working to assist Medicare beneficiaries in response to beneficiaries' requests for assistance.

18. A contractor working with Medicare processors to identify and recover erroneous Medicare payments for which other insurance programs are liable.

19. State and other governmental Workers' Compensation Agencies working with benefits payable under workers' compensation programs.

20. Insurance companies, self-insurers, Health Maintenance Organizations, multiple employer trusts, and other groups, including government programs providing protection from outpatient prescription drug expenses of their enrollees. Information to be disclosed shall be limited to Medicare prescription drug benefit entitlement data on specified individuals. In order to receive this information, the entity must agree to the following conditions:

a. To certify that the individual on whom the information is bring provided is one of its insureds,

b. To use the information solely for the purpose of processing the identified individual's insurance claims, and

c. To safeguard the confidentiality of the data and to prevent unauthorized access to it.

21. Authorized personnel of enrolled pharmacies for the purposes of establishing or verifying beneficiary eligibility, determining whether the annual Medicare prescription drug deductible has been reached or exceeded, and informing beneficiaries of potential outpatient prescription drug interactions.

22. A contractor of HCFA for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system or for developing, modifying, and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance

for ADP or telecommunications systems containing or supporting records in the system

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and magnetic media.

Retrievability: Records are retrieved by the HICN.

Safeguards:

a. Authorized Users: Only authorized employees of HCFA and of HCFA's contractors and personnel of enrolled pharmacies whose duties require the use of information in the system shall have access to beneficiaries' records. Such agency employees, personnel of contractors, and personnel of enrolled pharmacies having access to records are precluded from disclosing and using any program data for non-programmatic uses and are advised of the confidentiality of the records and of the criminal sanctions for unauthorized disclosure of the information on individuals (5 USC 552a(i) and (m).

b. Physical Safeguards: Under all conditions, sensitive data are safeguarded from disclosure and protected from unauthorized modification or destruction. All records, computer terminals, and point-of-sale (POS) devices are maintained in secure areas and are accessible only to authorized employees of HCFA and of HCFA's contractors and to authorized personnel of enrolled pharmacies.

c. Procedural Safeguards: Every user is required to present a valid password before being allowed access to the system. Only those persons whose duties require access to beneficiaries' records will be given passwords. Terminals are prevented from gaining access to sensitive data not required at those work stations. The system will record every attempt to access or modify any beneficiary's record.

Authorized pharmacy personnel have only limited read/write access to beneficiaries' records. The information available is strictly limited to that necessary to establish or verify beneficiary eligibility and entitlement, to determine whether the annual Medicare prescription drug deductible has been reached or exceeded, and to counsel beneficiaries on any potential prescription drug interactions detected by the system.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in all contracts related to this system.

d. Implementation Guidelines: Safeguards are implemented in accordance with all guidelines required by the HHS. Safeguards for automated records have been established in accordance with the HHS Information Resources Management Manual, Part 6, "Automated Information System Security"; OMB Circular A-130; HCFA's Administrative Issuances System Guide, HCFA.g:0805-1; and the applicable Federal Information Processing Standards and Federal Telecommunication Standards.

Retention and disposal: Medicare beneficiary prescription drug data will be maintained on line for six months. Records will then be stored at the drug bill processor sites for twenty-one months and at the Federal Records Center for an additional five years before being destroyed.

System manager(s) and address: Director, Bureau of Program Operations, Health Care Financing Administration, Room 300 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure: Inquiries and requests for system records should be addressed to the System Manager at the address above. The requestor must specify the Health Insurance Claim Number.

Record access procedures: Same as notification procedure. Requestors should also reasonably specify the record contents being sought. These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).

Record source categories: HCFA obtains the identifying information in this system from the HCFA Master Beneficiary Record, enrolled pharmacies, and beneficiaries.

Systems exempted from certain provisions of the act: None.

09-70-1509

System name:

Complaint Files on Nursing Homes HHS/HCFA/HSQB/DLTC.

Security classification:

None.

System location: Boston Health Standards and Quality Division, HCFA HHS Region I, Room 1301, John F. Kennedy Federal Office Building, Boston, Massachusetts 02203 New York Health Standards and Quality Division, HCFA HHS Region II, Room 3821, 26 Federal Plaza, New York, New York 10007Philadelphia Health Standards and Quality Division, HCFA HHS Region III, P.O. Box 8450, 3535 Market Street, Philadelphia, Pennsylvania 19101 Atlanta Health Standards and Quality Division, HCFA HHS Region IV, Room 523, 101 Marietta Tower, Atlanta, Georgia 30323Chicago Health Standards and Quality Division, HCFA HHS Region V, 175 West Jackson, Room 941, Chicago, Illinois 60604 Dallas Health Standards and Quality Division, HCFA HHS Region VI, 23rd Floor, 1200 Main Tower Building, Dallas, Texas 75202 Kansas City Health Standards and Quality Division, HCFA HHS Region VII, 601 East 12th Street, Kansas City, Missouri 64106 Denver Health Standards and Quality Division, HCFA HHS Region VIII, 1961 Stout Street, Room 581, Denver, Colorado 80294 San Francisco Health Standards and Quality Division, HCFA HHS Region IX, 21st Floor, 100 Van Ness Avenue, San Francisco, California 94102 Seattle Health Standards and Quality Division, HCFA HHS Region X, Arcade Plaza, 1321 Second Avenue, Mail Stop 701, Seattle, Washington 98101

Categories of individuals covered by the system:

Persons who make complaints on nursing homes certified under Titles XVIII (Medicare) and XIX (Medicaid) of the Social Security Act.

Categories of records in the system:

Correspondence from complainant, copies of HHS response, or notation of referral to relevant State agency.

Authority for maintenance of the system:

Sections 1861(j), 1864, and 1866 of Title XVIII and sections 1902(a)(9), (26), (28), and (33) of Title XIX of the Social Security Act. (42 U.S.C. 1395x(j), 1395aa, 1395cc, and 1396a(a)(9), (26), (28), and (33))

Purpose(s):

To maintain a file that documents action taken with respect to each complaint received.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

Indexed alphabetically by name of complainant. Used by staff of the Health Standards and Quality Bureau to answer correspondence, to check on complaints, and to initiate corrective action as necessary. Statistical information submitted to HCFA, Baltimore.

Safeguards:

Authorized personnel only. Information kept in locked file cabinets. Documents only available to State and Federal employees officially acting on complaint or performing authorized disclosures.

Retention and disposal:

Retained two years or until complaint file closed, whichever is longer. Destroyed by shredding or incinerating.

System manager(s) and address:

Director of Institutional and Ambulatory Services, Office of Standards and Certification, Health Standards and Quality Bureau, Health Care Financing Administration, 6325 Security Blvd., Baltimore, Maryland 21207.

Notification procedure:

Same as above. Individual should contact Regional Office serving State in which nursing home about which a complaint was filed is located. Request should include: Name and address of nursing home.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

Letters from complainants, state agencies handling follow-up, staff investigative reports on nursing home.

Systems exempted from certain provisions of the act:

None.

09–70–1511

System name:

Physical Therapists In Independent Practice (Individuals), HHS/HCFA-HSQB.

Security classification:

None.

System location:

HCFA Data Center in Central Office at Lyons Building, 7131 Rutherford Rd., Baltimore, Maryland and DHHS ten Regional Offices (See Appendix A).

Categories of individuals covered by the system:

Physical Therapists in Independent Practice (PTIPs) who furnish outpatient physical therapy services and who have an individual practitioner status as approved under 42 CFR 405.1731.

Categories of records in the system:

The system contains information about a therapist's name, identification number, address and survey and certification information.

Authority for maintenance of the system:

Section 1861(p) and 1864 of the Social Security Act (42 U.S.C. 1395 x(p) and 1395(aa) Implementing regulation: 42 CFR 405.1730–405.1737.

Purpose(s):

To provide information of PTIPs as to the quality, quantity and availability of health care related services in the United States rendered by PTIPs. It serves as a unique source of program related and health management information on all PTIPs in the nation who participate in the Medicare/Medicaid programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries or carriers, for administration of provisions of title XVIII and title XIX.
2. To the private sector in the health care industry requesting information generally relating to PTIPs without disclosing the identity of any individuals and as approved by HCFA that disclosure is compatible with the purpose for which the records were collected.
3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications sytems containing or supporting records in the system.
4. To a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.
5. To a beneficiary who has the need to know the quality of care rendered by a particular PTIP.
6. To other government agencies requesting information generally relating to PTIPs without disclosing the identity of any individuals and as approved by HCFA that disclosure is compatible with the purpose for which the records were collected.
7. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when
   (a) HHS, or any component thereof; or
   (b) Any HHS employee in his or her official capacity; or
   (c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or
   (d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape and direct access storage device.

Retrievability:

Information will be retrieved by the PTIP's identification number, name, address or survey and certification information.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in contracts related to this system.

d. Implementation guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' Automated Data Processing Manual, "Part 6, ADP System Security."

Retention and disposal:

Paper copies of the records are maintained in a secure storage area with identifiers. Purging of paper copies occurs three years from the last completed survey. Computerized records are maintained for a period of the last four surveys.

System manager(s) and address:

Director, Division of Data and Program Analysis, Health Standards and Quality Bureau, Health Care Financing Administration, 2-D-2 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above and specify name or identification number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the System Manager named above, and reasonably identify the record(s) and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).)

Record source categories:

Sources of information contained in this record system include data collected from PTIPs with an individual practitioner status as surveyed and collected by the State agency and transmitted to the regional office and Baltimore.

Systems exempted from certain provisions of the act:

None.

Appendix A—Regional Office Addresses

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Room 1309
JFK Federal Building
Boston, Massachusetts 02203

NEW YORK REGION—New Jersey, New York, Pureto Rico, Virgin Islands
Room 3811
26 Federal Plaza
New York, New York 10278

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
3535 Market Street
P.O. Box 7760
Philadelphia, Pennsylvania 19101

ATLANTA REGION—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
Suite 701
101 Marietta Tower
Atlanta, Georgia 30323

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Suite A-835
175 W. Jackson Boulevard
Chicago, Illinois 60604

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Room 2400
1200 Main Tower Building
Dallas, Texas 75202

KANSAS CITY REGION—Iowa, Kansas, Missouri, Nebraska
New Federal Office Building
Room 235
601 East 12th Street
Kansas City, Missouri 64106

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Federal Building
Room 574
1961 Stout Street
Denver, Colorado 80294

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada
14th Floor
100 Van Ness Avenue
San Francisco, California 94102

SEATTLE REGION—Alaska, Idaho, Oregon, Washington
Mail Stop 502
2901 Third Avenue
Seattle, Washington 98121.

09-70-1512

System name:

Pro Data Management System (PDMS).

Security classification:

None.

System location:

Health Care Financing Administration, Health Standards and Quality Bureau, Office of Peer Review, Division of Program Operations, 2nd Floor, Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Health Care Financing Administration, Regional Offices. See Appendix A

Categories of individuals covered by the system:

A record will be generated for each Medicare beneficiary case reviewd by a PRO.

Categories of records in the system:

1. PRO ID

A unique identifier assigned to the PRO for identification and reporting purposes.

2. Record Type

Identifies the type of record being submitted (e.g., new, replacement or cancelled record).

3. Provider ID

A coded number of a Medicare provider used to group review data.

4. Health Insurance Claim (HIC) Number

The Medicare beneficiary's unique Medicare Health Insurance Claim Number.

5. Admission/Service Date

If record is an inpatient admission, the date of admission to the facility or if outpatient, date of service provided.

6. Discharge Date

If record is an inpatient admission, the date of discharge from the facility.

7. Basis for Selection

The original category of required review from which the case was selected.

8. Review Selection and Completion Dates

Date selected and date review completed.

9. Completed Review Results

—Admissions review data
—DRG validation data
—Generic screen data (quality of care)
—Coverage review data
—Discharge review
—Reconsideration and appeal data
—PRO initiative adjustment data
—Review of hospital issued notices of non-coverage

10. Review Type

Indicates whether the review was performed on a pre-discharge, prepayment or retrospective basis.

Authority for maintenance of the system:

This system is established under the authority of Section 1866(a)(1)(F) and (d) of the Social Security Act, which requires hospitals participating in the Medicare program to have an agreement with a PRO for the latter to review various aspects of the hospital's activities; Part B of the Social Security Act, which established the Utilization and Quality Control Peer Review Organization (PRO) program; Section 1862(g) of the Social Security Act, which requires the Secretary to enter into contracts with PROs to assist him in making certain types of determinations in the Medicare program and Section 1874(a) and (b) of the Social Security Act, which authorize the Secretary to administer the Medicare program through contracts with others, including contracts for procuring data as may be necessary in carrying out his functions under the Medicare statute and regulations at 45 CFR Part 5b.

Purpose(s):

This system will be used to collect data on the selection and subsequent medical review of required areas of review in the acute hospital setting, specialty hospitals and exempt units, swing beds, hospital outpatient areas and ambulatory surgical centers (ASC). The system will allow for PRO generation and submission to HCFA of a unique record with all applicable review information relevant to contractor performance and data analysis. The HIC number is utilized because it represents the only unique constant identifier available to allow for identification and tracking of a particular record. The HIC number will also eliminate the probability of double counting records when determining the number of reviews performed for reimbursement purposes and identifying erroneous record submissions. Additionally, this system will allow for project officer (PRO) and SuperPRO selection of samples for re-review to validate the accuracy of contractor performance. (SuperPRO is an organization under contract with HCFA to review the quality of PRO medical review decisions on a sample basis.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To a congressional office in response to an inquiry from that office at the request of the subject individual.

2. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof;

where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and that the use of such records by the Department of Justice, the tribunal, or the party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

4. To a third party where:

(a) HCFA needs information from the third party to verify information relating to program integrity, quality of care, and evaluation and measurement of system activities;

(b) The party to whom disclosure is to be made has, or is reasonably expected to have such information, and disclosure is needed in order to obtain the information; and

(c) HCFA determines that the purpose of disclosure is compatible with the purposes for which the records were collected.

5. To a Peer Review Organization, SuperPRO, or an entity under contract to HCFA or the Department acting in a manner consistent with maintaining the integrity of the Medicare program if HCFA determines that disclosure of beneficiary-specific information is necessary or relevant to an official investigation or litigation regarding a specific case, and if HCFA determines:

(a) That the use or disclosure of information does not violate legal limitations under which the record was provided, collected, or obtained; and

(b) That the purpose for which disclosure is to be made:

(1) Is compatible with the purposes for which the records were collected;

(2) Cannot be reasonably accomplished unless the record is provided in individual identifiable form; and

(3) Is of sufficient importance to warrant any effect on the privacy of the individual that disclosure of the record might bring; and

(c) That adequate safeguards have been instituted so as to protect the confidentiality of the data and prevent unauthorized access to it; and

(d) That the appropriate procedures, format, and media will be used for the data disclosure process.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained at the system location site in magnetic media (e.g., magnetic tape and computer discs).

Retrievability:

The data in this system are retrieved by PRO ID and HIC number.

Safeguards:

Safeguards for automated records have been established in accordance with the Department of HHS' Information Resources Management Manual, "Part 6, Automated Information Systems Security." This includes maintaining the records in a secure enclosure.

Access to specific records is limited to those who have a need for them in the performance of their official duties.

Retention and disposal:

Records are maintained on-line in the system from the date of submission to approximately three years (length of contract).

System manager(s) and address:

Director, Office of Peer Review, Health Care Financing Administration, 2-D-2 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above or to the appropriate regional office (see Appendix A), and specify Health Insurance Number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the information in the records being sought. You may also request an accounting of disclosures that have been made of your records, if any. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested, and state the corrective action sought and your reasons for requesting the correction, along with information to show how the record is inaccurate, incomplete, untimely, irrelevant, or otherwise in need of correction. (These procedures are in accordance with Departmental Regulations 45 CFR 5b.7.)

Record source categories:

These records will be generated by the PRO from data received from the servicing fiscal intermediary (FI) or carrier responsible for the processing of Medicare hospital bills and data generated by the PRO itself as a direct result of medical review performed. Other sources would include Medicare beneficiaries, congressional office, HCFA, Medicare providers, Medicare intermediary/carrier, Office of the Inspector General, etc. The magnetic tape record will only include information to be compiled in the data base (e.g., Peer Review Organizations identifier, HIC, admission/service and discharge dates, review selection and results).

Systems exempted from certain provisions of the act:

None.

Appendix A—Health Care Financing Administration Regional Offices

I Boston, Project Officer, Peer Review Organization, Room 1309, JFK Federal Building, Boston, Massachusetts 022032.

II New York, Project Officer, Peer Review Organization, Room 3804, 26 Federal Plaza, New York, New York 10278.

III Philadelphia, Project Officer, Peer Review Organization, 3535 Market Street, P.O. Box 7760, Philadelphia, Pennsylvania 19101.

IV Atlanta, Project Officer, Peer Review Organization, Suite 601, 101 Marietta Tower, Atlanta, Georgia 30323

V Chicago, Project Officer, Peer Review Organization, Suite A-835, 175 W. Jackson Boulevard, Chicago, Illinois 60604.

VI Dallas, Project Officer, Peer Review Organization, Room 2000, 1200 Main Tower Building, Dallas, Texas 75202.

VII Kansas City, Project Officer, Peer Review Organization, New Federal Office Building, Room 235, 601 East 12th Street, Kansas City, Missouri 64106.

VIII Denver, Project Officer, Peer Review Organization, Federal Building, Room 574, 1961 Stout Street, Denver, Colorado 80294.

IX San Francisco, Project Officer, Peer Review Organization, 14th Floor, 100 Van Ness Avenue, San Francisco, California 94102.

X Seattle, Project Officer, Peer Review Organization, Room 430A, 2901 Third Avenue, Seattle, Washington 98121.

09-70-1514

System name:

HCFA Severity of Illness Data File HHS/HCFA/HSQB.

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207, Contact: MediQual Systems, Inc., 1900 West Park Drive, Westborough, MA 01581.

Categories of individuals covered by the system:

A statistically stratified sample of Medicare patient cases selected by HCFA from hospitals nationwide.

Categories of records in the system:

The system contains the first six characters of the individual's last name, health insurance claim number or social security number (SSN), date of admission, date of discharge, assigned DRG, clinical information including history, pre-admission findings, and findings during the initial period of hospitalization, i.e., the first 48 hours following admission or the pre-operative period if an operation was performed during the first 48 hours.

Authority for maintenance of the system:

Section 1874 (42 U.S.C. 1395kk) (a), (b), and Section 1875 (42 U.S.C. 1395ll) (a), as amended by the Social Security Act.

Purpose(s):

To obtain clinical data characterizing the severity of illness of patients upon hospital admission in order to assess its impact upon mortality rates.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

1. A contractor for the purpose of:

a. Identifying specific medical records and abstracting those medical records for severity of illness information to be used in this study; or

b. Collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunication systems containing or supporting records in the system.

2. A Congressional office from the records of an individual in response to an inquiry from the Congressional office at the request of the individual;

3. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

a. HHS or any component thereof; or

b. Any HHS employee in his or her official capacity; or

c. Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

d. The United States or any agency thereof (when HHS determines that the litigation is likely to affect HHS or any of its components),

is a party to litigation or has interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected;

4. Organizations deemed qualified by the Health Care Financing Administration to carry out quality assessment, medical audit, or utilization review;

5. To an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose for which the disclosure is to be made: (1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and (3) there is reasonable probability that the objective for the use would be accomplished;

c. Requires the recipient to: (1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except: (a) In emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the HCFA, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purposes of the audit, or (d) when required by law;

d. Secures a written statement attesting to the information recipient's understanding of, and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are retrieved by the health insurance claim number or SSN, patient name, or hospital patient number.

Safeguards:

a. Authorized Users: Agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is in contracts related to this system.

d. Implementation Guidelines: Safeguards implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' Automated Data Proceeding Manual, Part 6, "ADP System Security."

Retention and disposal:

Records are retained for 5 years after the last action on the record.

System manager(s) and address:

Director, HSQB, Health Care Financing Administration, 2-D-2 Meadows East Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to: Director, BDMS, Health Care Financing Administration, 1-E-9 Oak Meadows Building, 6340 Security Boulevard, Baltimore, Maryland 21207.

The requestor must specify the health insurance claim number or SSN.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with HHS Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with HHS Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from the hospital records and from existing systems.

Systems exempted from certain provisions of the act:

None.

09-70-2002

System name:

HCFA Program Integrity/Program Validation Case Files HHS/HCFA/BQC.

Security classification:

None.

System location:

HCFA Bureau of Quality Control, Office of Program Validation, 6325 Security Boulevard, Baltimore, Md. 21207, or HCFA Regional Office locations (see Appendix C, Section 2), and Federal Records Centers.

Categories of individuals covered by the system:

Persons or entities alleged to have violated the provisions of the Social Security Act related to the Medicare (Title XVIII) or Medicaid (Title XIX) program or other criminal statutes as they pertain to Social Security Act programs where substantial basis for criminal prosecution exists, defendants in criminal prosecution cases, or persons or entities alleged to have abused the Medicare or Medicaid program. This last category of individuals would, for example, include persons or entities alleged to have rendered unnecessary services to medicare beneficiaries and/or Medicaid recipients, overutilized services, engaged in improper billing procedures, or breached the assignment agreement. Also included are persons or entities chosen as subjects of a validation review.

Categories of records in the system:

Information maintained in each record includes the identity of individual(s) chosen for validation review or the suspect of an integrity review, the area of service under validation study or the nature of the alleged offense, documentation of the investigation into the alleged offense (including identification of beneficiaries, recipients and witnesses, statements, medical records, payment records, or complaints from beneficiaries recipients and others, correspondence and forms, documentation of complaints, and reports of medical review committees or consultants (including professional standards review organizations), and the disposition of the case by the Office of Program Validation or the HCFA Regional Office, Office of the Inspector General, Medicaid State agency or State Medicaid Fraud Control Unit, or the U.S. Attorney.

Authority for maintenance of the system:

Sections 205, 1106, 1107, 1815, 1816, 1833, 1842, 1872, 1874, 1876, 1877, and 1902 of the Social Security Act. (42 U.S.C. 405, 1306, 1307, 1395g, 1395h, 1395l, 1395u, 1395ii, 1395kk, 1395mm, 1395nn, and 1396a)

Purpose(s):

To determine if a violation of a provision of the Social Security Act or a related penal or civil provision of the United States Code has been committed; to determine if HHS has made proper payments as prescribed under sections 1815 and 1833 of the Social Security Act and whether the Medicare or Medicaid programs have been abused; and to coordinate Title XVIII and Title XIX investigations and prevent duplication. HCFA discloses case file material to the HHS Office of the Inspector General when a case is referred for full fraud investigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

HCFA uses material in this system as the basis for referral of the case to the HHS Office of the Inspector General or the (1) Department of Justice for consideration of criminal prosecution or civil action or to (2) State or local licensing authorities (including State medical review boards), professional standards review organizations, peer review groups, medical consultants, or other professional associations for possible administrative action.

(3) HCFA discloses such information to officers or employees of State governments as well as the civilian health and medical program of the Uniformed Services (CHAMPUS) program for use in conducting or directing investigations of possible fraud or abuse against the Title XVIII, XIX, or CHAMPUS programs, as well as State attorneys in connection with State programs involving the Health Care Financing Administration.

(4) HCFA also uses the material to determine the direction of investigation of potential fraud or abuse situations, which includes contact with third parties for the purpose of establishing or negating a violation.

(5) HCFA discloses cases involving fraudulent tax returns or forgery of Medicare checks to the (a) Treasury Department, (b) to the postal authorities, and to appropriate law enforcement agencies.

(6) HCFA may make disclosures to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

(7) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files maintained in locked file cabinets.

Retrievability:

The staff indexes and retrieves records by case number or by the name of the subject of the investigation.

Safeguards:

The system is maintained in accordance with the requirements of the DHHS ADP Systems Manual, Part 6, "Systems Security." HCFA keeps the file cabinets locked in a room that is locked after office hours. No one has access to the files except Office of Program Validation and HCFA Regional Office staff or other authorized personnel on a need to know basis.

Retention and disposal:

HCFA places the records in an inactive file after final action on the case. It closes out the inactive file at the end of the calendar year in which final action was taken, holds it 2 additional years, transfers it to the Federal Records Center, who destroys it after 3 additional years.

System manager(s) and address:

Director, Bureau of Quality Control, Office of Program Validation HCFA, 6325 Security Boulevard, Baltimore, Md. 21207 or HCFA Regional Office Locations (see Appendix C, Section 2).

Notification procedure:

An individual can determine if this system contains a record pertaining to an active abuse investigation or a closed fraud or abuse investigation of which the individual is/was a subject by requesting such information in writing. He or she should direct inquiries to HCFA, Bureau of Quality Control, Office of Program Validation; 6325 Security Boulevard, Baltimore, Md 21207 or the appropriate HCFA Regional Office (see app. C.2).

Under 5 U.S.C. 552a(k)(2), case files on active fraud investigations are exempt from notification procedures. Therefore, an individual cannot determine if this system contains a record pertaining to an active fraud investigation of which the individual is a subject.

An individual who requests notification of or access to a medical record shall, at the time he makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

These notification procedures are in accordance with Department regulations (45 CFR 5b.5).

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents they seek. As with the notification procedures above, case files on active fraud investigations are exempt from access by the individuals who are the subjects of the investigations pursuant to 5 U.S.C. 552a(k)(2). However, access to information which is a matter of public record or documents which the individual furnished will be permitted. These access procedures are in accordance with Department regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the appropriate official at the address specified under notification procedures above, reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department regulations—45 CFR 5b.7).

Record source categories:

The information contained in this record systems is the result of a criminal or program abuse investigation and may be derived from such sources as the suspect, beneficiaries, witnesses, professional standards review organizations, professional or peer review committees, medical consultants, Title XIX State agencies or State Medicaid Fraud Control Units, Social Security Administration, Health Care Financing Administration, carrier or intermediary employees with a knowledge of the case.

Systems exempted from certain provisions of the act:

HHS claims exemption of certain records (case files on active fraud investigations) in this system from the notification and access procedures under 5 U.S.C. 552a(k)(2) inasmuch as these records are investigatory materials compiled for program (law) enforcement in anticipation of a criminal or administrative proceeding. (See Department Regulations (45 CFR 5b.11)).

Appendix C. Health Insurance Claims

Medicare records are maintained at the HCFA Central Office (see section 1 below for the address). Health insurance records of the Medicare program can also be accessed through a representative of the HCFA Regional Office (see section 2 below for addresses). Medicare claims records are also maintained by private insurance organizations who share in administering provisions of the health insurance program. These private insurance organizations, referred to as carriers and intermediaries, are under contract to the Health Care Financing Administration and the Social Security Administration to perform specific tasks in the Medicare program. See section 3 below for addresses for intermediaries and section 4 addresses for carriers.

1. Central Office Addresses:
Bureau of Program Operations, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15-4:45

Bureau of Support Services, HCFA, Office of Direct Reimbursement, Room 1705, Equitable Building 6325 Security Boulevard, Baltimore, Maryland 21207. Office Hours: 8:15-4:45

2. HCFA Regional Office Addresses:

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
John F. Kennedy Federal Building, Room 1211; Boston, Massachusetts 02203. Office Hours: 8:30-5:00

NEW YORK REGION—New Jersey, New York, Puerto Rico, Virgin Islands
26 Federal Plaza—Room 715, New York, New York 10007. Office Hours: 8:30-5:00

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
P.O. Box 8460, Philadelphia, Pennsylvania 19101. Office Hours: 8:30-5:00

ATLANTA REGION—Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee
101 Marietta Street, Suite 702, Atlanta, Georgia 30223. Office Hours: 8:00-4:30

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Suite A-824, Chicago, Illinois 60604. Office Hours: 8:15-4:45

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas
1200 Main Tower Building, Dallas, Texas. Office Hours: 8:00-4:30

KANSAS CITY REGION—Iowa, Kansas, Missouri, Nebraska
New Federal Office Building, 601 East 12th Street—Room 436, Kansas City, Missouri 64106. Office Hours: 8:00-4:45

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Federal Office Building, 1961 Stout St—Room 1185, Denver, Colorado 80294. Office Hours: 8:00-4:30

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada
Federal Office Building, 10 Van Ness Avenue, 20th Floor, San Francisco, California 94102. Office Hours: 8:00-4:30

SEATTLE REGION—Alaska, Idaho, Oregon, Washington
1321 Second Avenue—Room 615, Mail Stop 211, Seattle, Washington 98101. Office Hours: 8:00-4:30

3. Intermediary Addresses (Hospital Insurance):

Medicare Coordinator, Blue Cross/Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Medicare Coordinator, Blue Cross of Arizona, Inc., P.O. Box 13466, Phoenix, Arizona 85002

Medicare Coordinator, Arkansas Blue Cross/Blue Shield, Inc., 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, Blue Cross of Southern California, P.O. Box 70000, Van Nuys, California 91470

Medicare Coordinator, Blue Cross of Northern California, 1950 Franklin Street, Oakland, California 94659

Medicare Coordinator, Kaiser Foundation Health Plan, Inc., 1956 Webster Street, Room 310A, Oakland, California 94612

Medicare Coordinator, Rocky Mountain Hospital and Medical Service, 700 Broadway, Denver, Colorado 80203

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Blue Cross/Blue Shield Connecticut, 370 Bassett Rd., North Haven, Connecticut 06473

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06115

Triage, Inc., 719 Middle Street, Bristol, Connecticut 06019

Medicare Coordinator, Blue Cross/Blue Shield of Delaware, Inc., 201 West 14th Street, Wilmington, Delaware 19899
Medicare Coordinator, Group Hospitalization, Inc., 550 12th Street, SW, Washington, D.C. 20024

Medicare Coordinator, Blue Cross of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32201

Medicare Coordinator, Blue Cross of Georgia/Columbus, P.O. Box 7368, Columbus, Georgia 31908

Medicare Coordinator, Blue Cross of Georgia/Atlanta, P.O. Box 4445, Atlanta, Georgia 30302
Medicare Coordinator, Hawaii Medical Service Association, P.O. Box 860, Honolulu, Hawaii 96808

Medicare Coordinator, Blue Cross of Idaho, Inc., P.O. Box 7480, Boise, Idaho 83707

Medicare Coordinator, Health Care Service Corp., 233 North Michigan Avenue, Chicago, Illinois 60601

Medicare Coordinator, Mutual Hospital Insurance, Inc., 120 West Market Street, Indianapolis, Indiana 46204

Medicare Coordinator, Blue Cross of Iowa, Ruan Building, 636 Grant Avenue, Station 28, Des Moines, Iowa 50307

Medicare Coordinator, Blue Cross of Western Iowa and S. Dakota, Third and Pierce Street, Sioux City, Iowa 51102

Medicare Administrator, Kansas Hospital Service Association, Inc., P.O. Box 239, Topeka, Kansas 66601

Medicare Coordinator, Blue Cross and Blue Shield of Kentucky, Inc., 9901 Linn Station Road, Louisville, Kentucky 40223

Medicare Coordinator, Louisiana Health Service and Indemnity Company, 2718A Wooddale Blvd, Baton Rouge, Louisiana 70805

Medicare Coordinator, Associated Hospital Service of Maine, 110 Free Street, Portland, Maine 04101

Medicare Coordinator, Maryand Blue Cross, Inc., 700 East Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator Part A, Blue Cross of Mass., Inc., 100 Summer Street, Boston, Massachusetts 02106

Medicare Coordinator, Blue Cross of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Medicare Coordinator, Blue Cross of Minnesota, 3535 Blue Cross Road, St. Paul, Minnesota 55765

Medicare Coordinator, Blue Cross of Miss., P.O. Box 1043, Jackson, Mississippi 39205

Medicare Coordinator, Blue Cross Hospital Service of Missouri, 4444 Forest Park Boulevard, St. Louis, Missouri 63108

Medicare Coordinator, Blue Cross of Montana, P.O. Box 5017, Great Falls, Montana 59403

Medicare Coordinator, Mutual of Omaha Ins. Co., Box 456 Downtown Station, Omaha, Nebraska 68101

Medicare Coordinator, Blue Cross of Nebraska, P.O. Box 3248, Main Post Office Station, Omaha, Nebraska 68103

Medicare Coordinator, New Hampshire Vermont Health Service, 2 Pillsbury Street, Concord, New Hampshire 03306

Medicare Coordinator, Hospital Service Plan of New Jersey, 33 Washington Street, Newark, New Jersey 07102

Medicare Coordinator, Prudential Ins. Co. of America, Drawer 471, 1 Millville, New Jersey 08332

Medicare Coordinator, New Mexico Blue Cross Inc., 12800 Indian School Rd., NE, Albuquerque, New Mexico 87112

Medicare Coordinator, B/C-B/S of New York, 622 Third Avenue, New York, New York 10017

Medicare Coordinator, North Carolina B/C-B/S P.O. Box 2291 Durham, North Carolina 27702

Medicare Coordinator, Blue Cross of North Dakota, 4510 13th Avenue, SW, Fargo, North Dakota 58121

Medicare Coordinator, B/C of N.W. Ohio, P.O. Box 943, Toledo, Ohio 43601

Medicare Coordinator, B/C of N.E. Ohio, 2066 East Ninth Street, Cleveland, Ohio 44115

Medicare Coordinator, Hospital Care Corporation, 1351 William Howard Taft Road, Cincinnati, Ohio 45206

Medical Coordinator, Nationwide Mutual Insurance Co., P.O. Box 1625, Columbus, Ohio 43216

Medicare Coordinator, B/C of Central Ohio, P.O. Box 16526, Columbus, Ohio 43216

Medicare Coordinator, Blue Cross of Oklahoma, 1215 South Boulder, Tulsa, Oklahoma 74119

Medicare Coordinator, Northwest Hospital Service, P.O. Box 1271, Portland, Oregon 97201

Medicare Coordinator, Blue Cross of Greater Philadelphia, 1333 Chestnut Street, Philadelphia, Pennsylvania 19107

Medicare Coordinator, Blue Cross of Western Pennsylvania, One Smithfield Street, Pittsburgh, Pennsylvania 15222

Medicare Coordinator, B/C of N.E. Pennsylvania, 70 North Main Street, Wilkes-Barre, Pennsylvania 18711

Medicare Coordinator, Hospital Service Plan of Lehigh Valley, 1221 Hamilton Street, Allentown, Pennsylvania 18102

Medicare Coordinator, Capital Blue Cross, 100 Pine Street, Harrisburg, Pennsylvania 17101

Cooperativa de Seguros de Vida de Puerto Rico, G.P.O. Box 3428, San Juan, Puerto Rico 00936

Blue Cross of Rhode Island, 444 Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross of S.C., Columbia, South Carolina 29219

Medicare Coordinator, Blue Cross of Tennessee, Blue Cross Bldg., Chattanooga, Tennessee 37402

Medicare Coordinator, Group Hospital Service, Inc., P.O. Box 22146, Dallas, Texas 75222

Medicare Coordinator, B/C of Utah, P.O. Box 30270, Medicare A, Salt Lake City, Utah 84130

B/C of S.W. Virginia, P.O. Box 13047, 3959 Electric Rd., Roanoke, Virginia 24045

Medicare Coordinator, Blue Cross of Virginia, P.O. Box 27401, Richmond, Virginia 23261

Medicare Coordinator, B/C of Washington/Alaska, Inc., 15700 Dayton Avenue, North, P.O. Box 327, Seattle, Washington 98111

Medicare Coordinator, Parkersburg Hosp. Serv., Inc., P.O. Box 1948, Parkersburg, West Virginia 26101

Medicare Coordinator, Blue Cross Hospital Service Inc., P.O. Box 1353, City Center West Charleston, West Virginia 25325

Medicare Coordinator, Blue Cross of Northern West Virginia Inc., 20th and Chapline Streets, Wheeling, West Virginia 26003

Medicare Coordinator, Blue Cross/Blue Shield United of Wisconsin, Milwaukee, Wisconsin 53201

Medicare Coordinator, Blue Cross/Blue Shield of Wyoming, P.O. Box 2266, Cheyenne, Wyoming 82001

Health Care Financing Administration, Bureau of Program Operations, Group Health Plans, Operations Staff, 6325 Security Boulevard, Baltimore, Maryland 21207

Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

4. Carrier Addresses (Supplementary Medical Insurance)

Medicare Coordinator, Blue Cross Blue Shield of Alabama, 450 Riverchase Parkway East, Birmingham, Alabama 35298

Vice President for Medicare and Medical Services, Arkansas Blue Cross/Blue Shield, 601 Gaines Street, Little Rock, Arkansas 72203

Medicare Coordinator, California Blue Shield, P.O. Box 7968, Rincon Annex, San Franciso, California 94120

Medicare Coordinator, Transamerica Occidental Life Insurance Company, P.O. Box 54905 Terminal Annex, Los Angeles, California 90054
Kaiser Foundation Health Plan, 1956 Webster Street, Rm 310-A, Oakland, California 94612

Assistant Vice President, Blue Shield of Colorado, 700 Broadway, Denver, Colorado 80273

Medicare Administrator, Travelers Ins. Co., One Tower Square, Hartford, Connecticut 06115

Medicare Administrator, Aetna Life & Casualty, 151 Farmington Avenue, Hartford, Connecticut 06156

Medicare Coordinator, Connecticut General Life Insurance Company, Hartford, Connecticut 06152

Medicare Coordinator, Blue Cross/Blue Shield of Delaware, 201 West 14th Street, Wilmington, Delaware 19899

Medicare Coordinator, Blue Cross of Florida, Inc., P.O. Box 1798, Jacksonville, Florida 32231

Group Health, Inc., 1320 South Dixie Highway, Coral Gables, Florida 33146

Medicare Administrator, Prudential Insurance Company of America, P.O. Box 95466, 57 Executive Park Station, Atlanta, Georgia 30347

Medicare Claim Administrator, Hawaii Medical Service Association, 100 Bishop Street, P.O. Box 860, Honolulu, Hawaii 96808

Health Care Service Corporation, 233 North Michigan Avenue, Chicago, Illinois 60601

Assistant Vice President Medicare Dept., Mutual Medical Insurance, Inc., 120 West Market Street, Indianapolis, Indiana 46204

Assistant Executive Director, Blue Shield of Iowa, Ruan Building, 636 Grand Avenue, Des Moines, Iowa 50307

Medicare Administrator, Blue Shield of Kansas Inc., P.O. Box 239, Topeka, Kansas 66601

Manager, Medicare Liaison, Pan American Life Insurance Co., P.O. Box 60182, New Orleans, Louisiana 70130

Medicare Coordinator, Maryland Blue Shield, Inc., 700 E. Joppa Road, Baltimore, Maryland 21204

Medicare Coordinator Part B, Massachusetts Blue Shield, 100 Summer Street, Boston, Massachusetts 02106

Asst. Vice Pres. Govern. Aff. Dept., Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Michigan 48226

Blue Cross/Blue Shield of Minn., 3535 Blue Cross Road, St. Paul, Minnesota 55765

Vice President Government Programs, Blue Shield of Kansas City, P.O. Box 169, Kansas City, Missouri 64141

Director, Medicare Administration, General American Life Ins. Corp., 13045 Tesson Ferry Road, St. Louis County, Missouri

Montana Physicians Service, P.O. Box 4310, Helena, Montana 59601

Assistant Vice President, Medicare Administration, Mutual of Omaha Insurance Co., Box 456, Downtown Station, Omaha, Nebraska 68101
Medicare Coordinator, New Hampshire Vermont Phys. Serv., 2 Pillsbury St., Concord, New Hampshire 03306

Medicare Coordinator, Prudential Insurance Co., of America, P.O. Box 471, Millville, New Jersey 08332

Director of Medicare Part B, Blue Shield of Western New York, Inc., 298 Main Street, Buffalo, New York 14202

Medicare Coordinator, Group Health Insurance, Inc., 326 West 42nd Street, New York, New York 10036

Medicare Coordinator, Genesee Valley Medical Care, Inc., 42 Chestnut Street, Rochester, New York 14604

Medicare Coordinator, Blue Cross/Blue Shield of Greater N.Y., 622 Third Avenue, New York, New York 10017

Medicare Coordinator, The Equitable Life Assurance Society, 1285 Avenue of the Americas, New York, New York 10019

Medicare Coordinator, Blue Shield of North Dakota, 4510 13th Avenue, SW, Fargo, North Dakota 58121

Medicare System & Proc. Div., Nationwide Mutual Insurance Company, P.O. Box 1625, Columbus, Ohio 43216

Department of Human Services, 101 Sequoyah Boulevard, Oklahoma City, Oklahoma 73105

Medicare Coordinator, Pennsylvania Blue Shield, P.O. Box 65,
Camp Hill, Pennsylvania 17011

Chief, Internal Operations, Seguros de Servicio de Salud de
Puerto Rico, Inc., G.P.O. Box 3628, San Juan, Puerto Rico
00936

Medicare Coordinator, Blue Shield of Rhode Island, 444
Westminster Mall, Providence, Rhode Island 02901

Medicare Coordinator, Blue Cross/Blue Shield of S.C.,
Columbia, South Carolina 29219

EDS Federal Corporation, 7171 Forest Lane, Dallas, Texas
75230

Offices Services, Group Medical & Surgical Service, P.O. Box
22147, Dallas, Texas 75222

Manager, Part B, Blue Shield of Utah, P.O. Box 30270, Salt
Lake City, Utah 84125

Assistant Administrator, Washington Physicians Service, 4th and
Battery Building—2401 4th Avenue, 6th Floor, Seattle,
Washington 98121

Director, Medicare Claims Dept., Wisconsin Physicians Service,
P.O. Box 9277, Madison, Wisconsin 53715

Health Care Financing Administration, Bureau of Program
Operations, Group Health Plans Operations Staff, 6325
Security Blvd., Baltimore, Maryland 21207

Director of Retirement Claims, U.S. Railroad Retirement Board,
844 Rush Street, Chicago, Illinois 60611.

09-70-2003

System name:

Completion of State Medicaid Quality Control (MQC) Reviews, HHS/HCFA/BQC.

Security classification:

None.

System location:

HCFA central office or regional offices. (See Attachment A). A contractor site will be determined when and if the contract is executed. Contact the systems manager for the location of the contractor.

Categories of individuals covered by the system:

Sampled Medicaid beneficiaries in the District of Columbia and all States.

Categories of records in the system:

Documents (e.g., resource, income payment relating to the eligibility, and payment status of Medicaid beneficiaries).

Authority for maintenance of the system:

Section 1903(u) of the Social Security Act (42 USC 1396b(u)) was enacted by section 133 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Pub.L. 97-248.

Implementing regulation 42 CFR 431.804(c)(6) (48 FR 54224, December 1, 1983).

Purpose(s):

To complete State MQC sample reviews for any State that fails to complete: (1) A timely and valid MQC sample, or (2) individual reviews required to make a projection of their error rate or determine their actual error rate.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To the contractor which will use this information to conduct the reviews.

2. To the State Medicaid agency which refused to complete the sample.

3. To collateral contacts to verify client eligibility. Collateral contacts are contacts with third parties that include but are not limited to contacts with private individuals, banks, insurance companies, nursing homes, private businesses, Federal agencies and any entity that can provide information necessary to derive at a definitive eligibility decision and determine the payment status of the beneficiary.

4. To a congressional office, from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

6. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by beneficiary name, social security number or other unique identifier by HCFA or the State.

Safeguards:

HCFA and/or the contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, if required, HCFA and/or the contractor will initiate automated data processing (ADP) system security procedures required by DHHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hard copy records will be maintained. Disposal occurs three years from the last action on the case.

System manager(s) and address:

Director, Bureau of Quality Control, Health Care Financing Administration, Room 200, East High Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists write to the System Manager at the address indicated above. Specify name, address, and State.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

Data is collected from the beneficiary and collateral contacts. Collateral contacts are contacts with third parties that include but are not limited to contacts with private individuals, banks, insurance companies, nursing homes, private businesses, Federal agencies, and any other entity that can provide information necessary to arrive at a definitive eligibility decision and determine the payment status of the beneficiary.

Systems exempted from certain provisions of the act:

None.

Appendix A—Central and Regional Office Addresses

1. Central Office Address: Bureau of Quality Control, HCFA, 6325 Security Boulevard, Baltimore, Maryland 21207.

2. HCFA Regional Office Addresses:

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
John F. Kennedy Federal Building, Room 1309, Boston, Massachusetts 02203

NEW YORK REGION—New Jersey, New York, Puerto Rico, Virgin Islands
26 Federal Plaza, Room 38-130, New York, New York 10007

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
P.O. Box 7760, Philadelphia, Pennsylvania 19101

ATLANTA REGION—Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee
101 Marietta Street, Suite 602, Atlanta, Georgia 30223

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Suite A-835, Chicago, Illinois 60604

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas
1200 Main Tower Building, Room 2400, Dallas, Texas 75202

KANSAS CITY REGION—Iowa, Kansas, Missouri, Nebraska
New Federal Office Building, Room 235, 601 East 12th Street, Kansas City, Missouri 64106

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Federal Office Building, 5th Floor, 1961 Stout Street, Denver, Colorado 80294

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada
Federal Office Building, 100 Van Ness Avenue, 20th Floor, San Francisco, California 94102

SEATTLE REGION—Alaska, Idaho, Oregon, Washington
2901 Third Avenue, Mail Stop 406, Seattle, Washington, 98121.

09-70-2005

System name:

Medicaid Third Party Liability (TPL) Cost Avoidance Study.

Security classification:

None.

System location:

HCFA central office or regional office. A contractor site will be determined when and if the contract is executed. Contact the System Manager for the location of the contractor.

Categories of individuals covered by the system:

Sampled Medicaid beneficiaries in 8 jurisdictions (particular jurisdictions to be selected at a later date).

Categories of records in the system:

Documents (e.g., names of recipients and family members; SSN's; unique identifiers, if any; portions of eligibility applications; questionnaires; State forms relating to health insurance information and responsible third parties; correspondence with insurance companies, attorneys, and other responsible third party payors).

Authority for maintenance of the system:

Section 1902(a)(25) of the Social Security Act. Implementing regulations at 42 CFR Part 433, Subpart D, "Third Party Liability".

Purpose(s):

To gather data from which a methodology can be created to estimate and report cost avoidance savings in States, and to estimate third party resources available for Medicaid recipients.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To the State Medicaid agencies that will use this information to update their files and made third party recoveries, as appropriate.

2. To collateral contacts to verify availability of third party resources. Collateral contacts are contacts with third parties that include but are not limited to insurance companies, employers, attorneys, absent parents, Federal and State agencies, and any other entity that can provide information necessary to arrive at a definitive decision as to the availability of third party resources.

3. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

Is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

5. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic tape.

Retrievability:

Information will be retrieved by recipient name, social security number, or other unique identifier, by HCFA or the State.

Safeguards:

HCFA and/or the contractor will maintain all records in secure storage areas accessible only to authorized employees and will notify all employees having access to records of criminal sanctions for unauthorized disclosure of information on individuals. For computerized records, if required, HCFA and/or the contractor will initiate automated data processing (ADP) systems security procedures required by HHS ADP Systems Manual, Part 6, ADP Systems Security (e.g., use of passwords), and the National Bureau of Standards Federal Information Processing Standards.

Retention and disposal:

Hard copy records will be maintained during the life of the contract. Disposal occurs when the contract is terminated.

System manager(s) and address:

Director, Bureau of Quality Control, Health Care Financing Administration, Room 200, East High Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the System Manager at the address indicated above. Specify name, address, and State.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.(a)(2).)

Contesting record procedures:

Contact the System Manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current). (These procedures are in accordance with Departmental Regulations (45 CFR 56.7).)

Record source categories:

Data are collected from the beneficiary and collateral contacts. Collateral contacts are contacts with third parties that include but are not limited to contacts with private individuals, insurance companies, attorneys, employers, Federal and State agencies, and any other entity that can provide information necessary to arrive at a definitive decision regarding the availability of third party resources to Medicaid beneficiaries.

Systems exempted from certain provisions of the act:

None.

09-70-3001

System name:

Record of Individuals Authorized Entry to HCFA Buildings via A Card Key Access System, HHS/HCFA.

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard (Paper Media), Baltimore, Maryland 21207; 7131 Rutherford Road (Magnetic Media), Baltimore, Maryland 21207.

Categories of individuals covered by the system:

Those individuals with a legitimate need who are authorized entry to secured HCFA buildings.

Categories of records in the system:

This system contains the employees' name, card key number, building/secure area. The system also contains the date and time of actual or attempted entry to secured areas. We do not anticipate the need to record exit data at this time since the system is designed to facilitate entry only.

Authority for maintenance of the system:

5 U.S.C. 552a(e)(10), 41 CFR 101-20.302 (46 FR 3524, January 15, 1981).

Purpose(s):

To ensure that access to HCFA buildings during regular and security hours is restricted, and to guard against unauthorized entry. Data in the system is used for management purposes of ensure the security of the computer facility and other secured areas.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To the Federal Protective Service if investigating a crime.

2. To management officials inquiring about an individual's arrival time.

3. To contractors and other Federal agencies, as necessary, for the purpose of assisting HCFA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which HCFA may enter a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. To congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

5. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States of any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

6. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic disk.

Retrievability:

Magnetic media records are retrieved by the employees' name or key card number; paper records are retrieved alphabetically by name.

Safeguards:

Unauthorized personnel are denied access to the records areas. For computerized records, safeguards established in accordance with guidelines in the DHHS ADP Systems Manual, Part 6, "ADP Systems Security," (e.g., security codes, use of passwords) will be used, limiting access to authorized personnel.

Retention and disposal:

Records are retained for up to 3 years following expiration of an individual's authority to enter secured areas. When an individual is no longer authorized, information is deleted from magnetic media immediately.

System manager(s) and address:

Richard J. Rhode, Director, Division of General Services, Office of Administrative Services, Office of Management and Budget, Health Care Financing Administration, G-F-3 East Low Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above and specify name and/or card key number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the records contents being sought.

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete, or not current).

Record source categories:

HCFA obtains information in this system from the individuals who are covered by the system.

Systems exempted from certain provisions of the act:

None.

09-70-3002

System name:

Health Care Financing Administration (HCFA) Employee Building Pass Files.

Security classification:

None.

System location:

Health Care Financing Administration, 1-P-4 East Low Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Categories of individuals covered by the system:

All HCFA employees and non-HCFA employees who require continuous access to buildings, e.g., the Health and Human Services Building in Washington, D.C., the Social Security Administration complex.

Categories of records in the system:

This system contains the employees' name, social security number, identification card number, work location, phone number, position title and grade, supervisor's name and telephone number.

Note: Records will not be retrieved by the social security number.

Authority for maintenance of the system:

Section 486(c) of Title 40, U.S.C.

41 CFR Chapter 101-20.302 (46 FR 3524, January 15, 1981)

Purpose(s):

To ensure that Federal employees and other authorized personnel receive United States Government Identification.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To the Federal Protective Service if investigating a crime.

2. To management officials inquiring about an individual's authorization to enter Federal occupied buildings.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidential to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system.

4. To a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

5. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained on paper forms.

Retrievability:

Records are retrieved by the employees' name and identification number.

Safeguards:

The records are stored in locked files. Access to the records is limited to those employees who have a need for them in the performance of their duties.

Retention and disposal:

Records are retained for 90 days following resignation or expiration of contract (contracts) and then are shredded.

System manager(s) and address:

Director, Division of General Services, Office of Administrative Services, Office of Management and Budget, Health Care Financing Administration, 578 East High Rise Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above and specify name and/or identification number.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your records, if any.

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested, and state the corrective action sought and your reasons for requesting the correction, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

HCFA obtains information in this system from the individuals who are covered by the system.

Systems exempted from certain provisions of the act:

None.

09-70-3003

System name:

Health Care Financing Administration (HCFA) Correspondence Handling and Processing System.

Security classification:

None.

System location:

Health Care Financing Administration
Office of Management and Budget
Office of Administrative Services
Division of Medicare Operations Support
Room A-1, 1717 Equitable Building
6325 Security Boulevard
Baltimore, Maryland 21207

Categories of individuals covered by the system:

Any beneficiary or group of beneficiaries who writes directly to HCFA, and also persons who write on behalf of beneficiaries.

Categories of records in the system:

CHAPS (Correspondence Handling and Processing System)
MBCCS (Master Beneficiary Case Control System)

Information in the record includes the following:

1. Beneficiary Name
2. Beneficiary social security number or railroad retirement number
3. Branch to which case is assigned
4. Correspondence control number
5. Date of initial entry and any subsequent updating
6. Subject of request
7. Technician's identification number
8. Location of case
9. To whom or where case released
10. Date record accessed
11. Due date
12. Type(s) of information required
13. Cross reference

Authority for maintenance of the system:

42 CFR 401.101 to 401.148.

Section 1106(a) of the Social Security Act, 42 U.S.C. 1306(a).

Purpose(s):

This system is used to track, control, and respond to correspondence from the public, other government agencies, contractors, and members of the Congress.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

2. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

4. To the Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Act relating to railroad employment.

5. Third-party contracts (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is reasonably expected to have information relating to the individual's capability to manage his or her affairs or to his or her eligibility for an entitlement to benefits under the Medicare program when:

(a) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: When there is a reasonable basis to conclude that the individual is of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual, or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: The individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of system activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in magnetic media (e.g., magnetic tape and computer discs) and in paper form.

Retrievability:

The data in this system are retrieved by name, social security number, or correspondence control number.

Safeguards:

Safeguards for automated records have been established in accordance with the Department of HHS' Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in a secure enclosure.

Access to specific records is limited to those who have a need for them in the performance of their official duties.

Paper records are maintained in locked files or in buildings which are secured after normal business hours.

Retention and disposal:

Records are maintained on-line in the system from the time of control until 3 months after the final response is released.

System manager(s) and address:

Director, Division of Medicare Operations Support, Office of Management and Budget, Health Care Financing Administration, Room A-1, 1717 Equitable Building, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above and specify name or SSN.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the records content being sought. You may also request an accounting of disclosures that have been made of your records, if any. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5 (a)(2).)

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested, and state the corrective action sought and your reasons for requesting the correction, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).)

Record source categories:

Incoming correspondence and responses to such correspondence.

Systems exempted from certain provisions of the act:

None.

09-70-4001

System name:

Group Health Plan System HHS, HCFA, OPHC.

Security classification:

None.

System location:

Health Care Financing Administration, Office of Systems Operations, OS, SSA, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Recipients of Part A (Hospital Insurance) and Part B (supplementary medical) Medicare services enrolled in a group health plan.

Categories of individuals covered by the system:

The system contains information about a beneficiary's health insurance entitlement and supplementary medical benefits usage.

Contact System Manager for location of Contractor(s).

Authority for maintenance of the system:

Sections 1833(a)(1)(A), 1866 and 1876 of Title XVIII of the Social Security Act (42 U.S.C. 1395(a)(1)(A), 1395cc, and 1395mm).

Purpose(s):

To maintain a master file of Group Health Plan members for accounting control; to expedite the exchange of data with the Group Health Plans; and to control the posting of pro-rata amounts to the Part B deductible of currently enrolled Group Health Plan members.

Group Health Plan include the following: Health Maintenance Organizations (HMO), Competitive Medical Plans (CMP), and Health Care Prepayment Plans (HCPP).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (2) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when (a) HHS, or any component thereof; or (b) Any HHS employee in his or her official capacity; or (c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case; HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) To an individual or organizations for a research evaluation, or epidemiological project related to the prevention of disease or disability, or the restoration or maintenance of health if HCFA:

a. Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained;

b. Determines that the purpose; for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form.

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring, and

(3) There is reasonable probability that the objective for the use would be accomplished;

c. Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

(a) In emergency circumstances affecting the health or safety of any individual.

(b) For use in another research project, under these same conditions, and with written authorization of HCFA.

(c) For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit or

(d) When required by law;

d. Secures a written statement attesting to the information recipient's understanding of a willingness to abide by the provisions.

(4) To providers and suppliers of services directly or dealing through contractors, fiscal intermediaries or carriers for administration of Title XVIII. Providers and suppliers:

a. Will have access only through a CRT terminal.

b. Will have access to only one record at a time.

c. Must enter both beneficiary name and Health Insurance Claim Number to access a record.

d. Must have a claim for services for the beneficiary.

e. Must enter a password in order to get access to the file.

5. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

6. To a contractor when the Department contracts with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. The contractor must agree:

a. Not to publish or otherwise disclose data in a form in which beneficiaries could be identified (except to plans, providers, supliers, carriers, and intermediaries as authorized by HCFA), and,

b. To safeguard the confidentiality of the data and to prevent unauthorized access to it.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and microfilm.

Retrievability:

The system is indexed by health insurance claim number.

Safeguards:

Only authorized personnel have direct access to information in the Group Health Plan systems. In addition, Groups Health Plan personnel are advised that information is confidential.

Offices containing records are locked when not in use. Computer terminals are in secured areas. All buildings are locked at night.

Employees who maintain records in this system are instructed to grant access only to authorized users. Data stored in computers are accessed through the use of passwords/keywords/numbers known only to the authorized personnel. These passwords are changed as needed. Contractor(s) who maintain records in this system are instructed to make no further disclosures of the records except as authorized by the system manager in accordance with the Privacy Act. Privacy Act requirements are specifically included in contracts related to this system. The project officer and contract officer oversee compliance with these requirements.

The particular safeguards implemented are developed in accordance with Part 6, "ADP Systems Security," of the HHS ADP Systems Manual and the National Bureau of Standards Federal Information Process Standards.

Retention and disposal:

Health insurance materials used to support the accuracy of the charge per service billed by the plan are retained for 3 years, then destroyed.

System manager(s) and address:

Health Care Financing Administration, Director, Office of Prepaid Health Care, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager named above and directed to the attention of the Office of Financial Management. The individuals should furnish his or her health insurance claim number as shown on social security records.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2).))

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. State the corrective action sought and the reasons for the correction with supporting justification. (These procedures are in accordance with Department Regulations (45 CFR 5b.7).)

Record source categories:

The identifying information contained in these records is obtained from the group health plans (which obtained the data from the individual concerned, and the Health Insurance Master record.)

Systems exempted from certain provisions of the act:

None.

09–70–4002

System name:

Beneficiary Inquiry Tracking System (BITS).

Security classification:

None.

System location:

Health Care Financing Administration, Bureau of Data Management and Strategy, Office of Health Program Systems, Division of Capitation Systems, Room A-1, 1705 Equitable Building, 6325 Security Boulevard, Baltimore, Maryland 21207

Health Care Financing Administration, Office of Prepaid Health Care, Room 4360 HHS North Building, 330 Independence Avenue, SW., Washington, DC 20201

Health Care Financing Administration, Regional Offices, See Appendix A.

Categories of individuals covered by the system:

Any Medicare beneficiary who is or who has been enrolled in a Group Health Plan, or any persons who act on behalf of beneficiaries.

Categories of records in the system:

Information in the record includes the following:

1. Beneficiary Name
2. Health Insurance Claim (HIC) Number
3. Health Maintenance Organization (HMO) Number
4. Date Received
5. Source of Inquiry; Beneficiary, Congressional Office, HMO, HCFA Central Office, Social Security Administration, Provider, Medicare Intermediary or Carrier, Office of the Inspector General, Professional Review Organization/Quality Review Organization, State Insurance Commissioner/State Regulator, Disenrollment Survey, All Others
6. Type of Inquiry: Quality of Care Issues: Inappropriate Care Received; Failure to Provide Services; Access to Care; Other Quality of Care; Enrollment Issues: Inappropriate Enrollment; Failure to Enroll (Selective Enrollment); Inappropriate Disenrollment; Failure to Disenroll; HMO Bill Payment Issues: Beneficiary Billed for Authorized Services; Beneficiary Billed for Nonauthorized Services; Provider Not Paid by HMO; Correction Actions: Medicare Nonpayment Because of HMO Status; Systems Corrections; Reconsiderations: Reconsideration Requests; Routine Items: Beneficiary Requests Disenrollment; Verification of HMO Status; Miscellaneous: All Items Not Covered Above
7. Analyst Assigned
8. Referral Dates
9. Referral Entities
10. Response Dates
11. Date Closed
12. Process Days
13. Interim Response Date
14. Retroactive Deletion Months
15. Retroactive Accretion Months
16. Record Number
17. Congressional ID Number
18. HCFA Regional Locator
19. Social Security Number.

Authority for maintenance of the system:

This system is established under the authority of section 1106(a) of the Social Security Act (42 U.S.C. 1306(a)) and sections 1874 and 1876 of Title XVIII of the Social Security Act (42 U.S.C. 1395kk and 1395mm).

Purpose(s):

The Beneficiary Inquiry Tracking System (BITS) will be used to track and monitor the resolution of the inquiries made by or on behalf of Medicare beneficiaries who are or who have been enrolled in a Group Health Plan. A Group Health Plan is a Health Maintenance Organization (HMO), Competitive Medical Plan (CMP), or a Health Care Prepayment Plan (HCPP) which has executed a contract with HCFA to provide services to Medicare beneficiaries on a prepaid or cost basis.

BITS is one of several approaches HCFA will utilize to promote the effective administration and operation, and to maintain the integrity of the Medicare HMO/CMP program. The primary function of BITS will be to track and monitor the status of inquiries received by HCFA and HCFA's ten regional offices (RO) regarding Medicare Group Health Plans. This will assist the ROs in managing their inquiry caseloads and will facilitate timely resolution of the inquiries. In addition, BITS will serve a valuable program monitoring and evaluation function. The data accumulated in BITS will be aggregated and used to generate reports documenting on a national, regional, or plan level the volume and specific types of inquiries received for or on behalf of Medicare beneficiaries. The Office of Prepaid Health Care (OPHC) will use these reports to conduct various analyses and to develop program indicators for operational (e.g., contract renewal) and programmatic issues. Based upon analysis of these reports, OPHC will be able to identify potential problems or conflicts that exist within the Medicare HMO program. If a particular analysis reveals a significant volume of inquiries or compliants which appear to be valid, HCFA will pursue further investigation and/or corrective actions that may be appropriate. In this manner, BITS will be integrated into and will complement other monitoring and oversight activities of the Department, HCFA, and OPHC.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To a congressional office in response to an inquiry from that office at the request of the subject individual.

2. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency there of where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

4. To a third party where:

(a) HCFA needs information from the third party to verify information presented by the inquiring individual relating to program integrity, quality of care, evaluation and measurement of system activities, entitlement to benefits, or amount of reimbursement,

(b) The individual is unable to provide the information sought by HCFA, i.e., there is a reasonable basis to conclude that the individual is of questionable mental capability, cannot read or write, cannot communicate due to a language barrier, or lacks access to the information, or that some similar circumstances exists;

(c) The party to whom disclosure is to be made has, or is reasonably expected to have such information, and disclosure is needed in order to obtain the information; and

(d) HCFA determines that the purpose of disclosure is compatible with the purposes for which the records were collected.

5. To a State Insurance Commissioner or other state regulator with similar authority, Professional Review Organization, Quality Review Organization, or an entity under contract to HCFA or the Department acting in a manner consistent with maintaining the integrity of the Medicare program if HCFA determines that disclosure of beneficiary-specific information is necessary or relevant to an official investigation or litigation regarding a specific case, and if HCFA determines:

(a) That the use or disclosure of information does not violate legal limitations under which the record was provided, collected, or obtained; and

(b) That the purpose for which disclosure is to be made:

(1) Is compatible with the purposes for which the records were collected;

(2) Cannot be reasonably accomplished unless the record is provided in individual identifiable form; and

(3) Is of sufficient importance to warrant any effect on the privacy of the individual that disclosure of the record might bring; and

(c) That adequate safeguards have been instituted so as to protect the confidentiality of the data and prevent unauthorized access to it; and

(d) That the appropriate procedures, format, and media will be used for the data disclosure process.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained at each of the system location sites in magnetic media (e.g., magnetic tape and computer discs) and in paper form.

Retrievability:

The data in this system are retrieved by beneficiary name, social security number or record number.

Safeguards:

Safeguards for automated records have been established in accordance with the Department of HHS' Information Resources Management Manual, "Part 6, Automated Information Systems Security." This includes maintaining the records in a secure enclosure.

Access to specific records is limited to those who have a need for them in the performance of their official duties.

Paper records are maintained in locked files in buildings which are secured after normal business hours.

Retention and disposal:

Records are maintained on-line in the system from the date of inquiry until two years after the final response is released.

System manager(s) and address:

Director, Office of Prepaid Health Care, Health Care Financing Administration, Room 4360 HHS North Building, 330 Independence Avenue, SW., Washington, DC 20201

Notification procedures:

To determine if a record exists, write to the system manager at the address indicated above or to the HMO Coordinator at the appropriate regional office (see Appendix A), and specify beneficiary name or Social Security Number.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the information in the records being sought. You may also request an accounting of disclosures that have been made of your records, if any. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested, and state the corrective action sought and your reasons for requesting the correction, along with information to show how the record is inaccurate, incomplete, untimely, irrelevant, or otherwise in need of correction. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).

Record source categories:

The identifying information contained in these records is obtained from the inquiries of or those made on behalf of Medicare beneficiaries and the following sources: Congressional office; Health Maintenance Organization (HMO) or a Group Plan; HCFA Central Office; Social Security Administration; providers; Medicare Intermediary/Carrier; Office of the Inspector General; Professional Review Organization; State Insurance Commissioner/State Regulator; Disenrollment Survey; and all others. The paper record includes the original incoming inquiry, any supporting documentation obtained during the investigation process, and the final inquiry response. The magnetic tape record will only include information to be compiled in the data base (e.g., name, dates associated with inquiry resolution, type of inquiry) and not any descriptive data items.

Systems exempted from certain provisions of the act:

None.

APPENDIX—HEALTH CARE FINANCING ADMINISTRATION, REGIONAL OFFICES

I. Boston

HMO Coordinator, Room 1309, JFK Federal Building, Boston, Massachusetts 02203

II. New York

HMO Coordinator, Room 3811, 26 Federal Plaza, New York, New York 10278

III. Philadelphia

HMO Coordinator, 3535 Market Street, P.O. Box 7760, Philadelphia, Pennsylvania 19101

IV. Atlanta

HMO Coordinator, Suite 701, 101 Marietta Tower, Atlanta, Georgia 30323

IV. Chicago

HMO Coordinator, Suite A-835, 175 W. Jackson Boulevard, Chicago, Illinois 60604

VI. Dallas

HMO Coordinator, Room 2000, 1200 Main Tower Building, Dallas, Texas 75202

VII. Kansas City

HMO Coordinator, New Federal Office Building, Room 235, 601 East 12th Street, Kansas City, Missouri 64106

VII. Denver

HMO Coordinator,
Federal Building,
Room 574,
1961 Stout Street,
Denver, Colorado 80294

IX. San Francisco

HMO Coordinator,
14th Floor,
100 Van Ness Avenue,
San Francisco, California 94102

IX. Seattle

HMO Coordinator, Mail Stop 502, 2901 Third Avenue, Seattle, Washington 98121

09-70-4003

System name:

Medicare HMO/CMP Beneficiary Reconsideration System (MBRS), HHS/HCFA/OPHC.

System location:

Health Care Financing Administration, Office of Prepaid Health Care, Room 4360 HHS Cohen Building, Washington, DC 20201.

Contractor (to be selected).

Categories of individuals covered by the system:

Any Medicare beneficiary who is or has been enrolled in a health maintenance organization (HMO) or competitive medical plan (CMP) and who has requested a reconsideration appeal by HCFA, or any persons who act on behalf of these beneficiaries.

Categories of records in the system:

Information in the record includes the following:

1. Beneficiary Name and/or Name of Beneficiary Representative and Addresses.
2. Health Insurance Claim (HIC) Number.
3. Health Plan Name and Address.
4. Health Plan Number.
5. Beneficiary Medical Records and Statement of Facts.
6. Claims Data: Date Claim Received by Health Plan, Date(s) of Service.
7. Routine Items: Beneficiary Enrollment Form and Disenrollment Request, Verification of Enrollment HMO Status, Date Reconsideration Request Submitted to HCFA, Date(s) of Determination(s) by Plan and HCFA.

Authority for maintenance of the system:

This system is established under the authority of Section 1876 of the Social Security Act (42 U.S.C. 1395mm).

Purpose(s):

To keep account of reconsiderations requested by or on behalf of Medicare HMO/CMP enrollees and to promote the effectiveness and integrity of the Medicare HMO/CMP program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made:

1. To a Congressional office in response to an inquiry from that office at the request of the subject individual.

2. To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components:

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. To a Contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for ADP or telecommunications systems containing or supporting records in the system.

4. To a third party where:

(a) HCFA needs information from the third party to verify information presented by the beneficiary or beneficiary representative relating to the beneficiary's entitlement to benefits, the amount of reimbursement, or a similar question;

(b) The individual is unable to provide the information sought by HCFA, i.e., there is a reasonable basis to conclude that the individual is of questionable mental capability, cannot read or write, cannot communicate due to a language barrier, or lacks access to information, or that some similar circumstance exists;

(c) The party to whom disclosure is to be made has, or is reasonably expected to have, information to assist the individual and disclosure is needed in order to obtain this information; and

(d) HCFA determines that the purpose of disclosure is compatible with the purposes for which the records were collected.

5. To a State Insurance Commissioner or other state regulator with similar authority, Peer Review Organization (PRO), Quality Review Organization (QRO), or an entity under contract to HCFA or the Department acting in a manner consistent with maintaining the integrity of the Medicare program, if HCFA determines that disclosure of beneficiary—specific information is necessary or relevant to an official investigation or litigation regarding a specific case, and if HCFA determines:

(a) That the use or disclosure of information does not violate legal limitations under which the record was provided, collected, or obtained;

(b) That the purpose for which disclosure is to be made:

(1) Is compatible with the purposes for which the records were collected;

(2) Cannot be reasonably accomplished unless the record is provided in individual identifiable form; and

(3) Is of sufficient importance to warrant any effect on the privacy of the individual that disclosure of the record might bring;

(c) That adequate safeguards have been instituted so as to protect the confidentiality of the data and prevent unauthorized access to it; and

(d) That the appropriate procedures, format, and media will be used for the data disclosure process.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained at each of the system location sites in magnetic media (e.g., magnetic tape and computer discs) and in paper form.

Retrievability:

The data in this system are retrieved by beneficiary name, health insurance claim (HIC) number, health plan, or record number.

Safeguards:

Safeguards for automated records have been established in accordance with the Department of HHS' Information Resources Management Manual, "Part 6, Automated Information Systems Security". This includes maintaining the records in a secure enclosure.

Access to specific records is limited to those who have a need for them in the performance of their official duties.

Paper records are maintained in locked files in buildings which are secured after normal business hours.

Retention and disposal:

Records are maintained on-line in the system from the date of inquiry until two years after the final response is released.

System manager(s) and address:

Project Officer, Medicare HMO/CMP Beneficiary Reconsideration System, Office of Prepaid Health Care, Health Care Financing Administration, Room 4360, HHS Cohen Building, 330 Independence Avenue, SW, Washington, DC 20201

Notification procedure:

To determine if a record exists, write to the system manager at the address indicated above or to the HMO Coordinator at the appropriate regional office (see Appendix A), and specify beneficiary name, HIC number, and health plan.

Record access procedures:

Same as notification procedures. Requestors should reasonably specify the information in the records being sought. You may also request an accounting of disclosures that have been made of your records, if any. These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures:

Contact the system manager named above and reasonably identify the record and specify the information to be contested, state the corrective action sought and your reasons for requesting the corrections, along with information to show how the record is inaccurate, incomplete, untimely, irrelevant, or otherwise in need of correction. These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).

Record source categories:

The identifying information contained in these records is obtained from the reconsideration requests made by or on behalf of Medicare beneficiaries and from inquiries from the following sources: Congressional office, the Health Plan, HCFA Central Office, Social Security Administration, providers; Medicare Intermediary/Carrier, State Insurance Commissioner/State Regulator, Disenrollment Survey, and all others. The paper record includes the original incoming reconsideration request or inquiry, any supporting documentation obtained during the investigation process, and the final response.

The magnetic tape record or computer disc record will only include information to be compiled in data base (e.g., name, dates associated with the reconsideration request or inquiry resolution, type of inquiry) and will not include any descriptive data items.

Systems exempted from certain provisions of the act:

None. Appendix A.—Health Care Financing Administration, Regional Offices

I BOSTON, HMO Coordinator, Room 1309, JFK Federal Building, Boston, Massachusetts 02203

II NEW YORK, HMO Coordinator, Room 3811, 26 Federal Plaza, New York, New York 10278

III PHILADELPHIA, HMO Coordinator, 3535 Market Street, P.O. Box 7760, Philadelphia, Pennsylvania 19101

IV ATLANTA, HMO Coordinator, Suite 701, 101 Marietta Tower, Atlanta, Georgia 30323

V CHICAGO, HMO Coordinator, Suite A-835, 175 W. Jackson Boulevard, Chicago, Illinois 60604

VI DALLAS, HMO Coordinator, Room 2000, 1200 Main Tower Building, Dallas, Texas 75202

VII KANSAS CITY, HMO Coordinator, New Federal Office Building, Room 235, 601 East 12th Street, Kansas City, Missouri 64106

VIII DENVER, HMO Coordinator, Federal Building, Room 574, 1961 Stout Street, Denver, Colorado 80294

IX SAN FRANCISCO, HMO Coordinator, 14th Floor, 100 Van Ness Avenue, San Francisco, California 94102

X SEATTLE, HMO Coordinator, Mail Stop 502, 2901 Third Avenue, Seattle, Washington 98121

09-70-5001

System name:

Medicare Hearings and Appeals System (MHAS).

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard (Paper Media), Baltimore, Maryland 21207. (Contact system manager for location of Magnetic Media computerized records.)

Categories of individuals covered by the system:

All individuals who request a hearing by an administrative law judge (ALJ) or appeal an ALJ decision on cases administered by HCFA pursuant to Titles XI, XVIII, and XIX of the Social Security Act, as amended.

Categories of records in the system:

The system contains information concerning Medicare beneficiaries and physicians and other persons involved in furnishing services to Health Insurance beneficiaries. Information on beneficiaries may include: Name, address, SSN, medical services, equipment, and supplies for which Medicare reimbursement is requested, and material used to determine amount of benefits allowable under Medicare. Information on physicians and other persons may include: Name, address, specialty, identification number, medical services for which Medicare reimbursement is requested, material used to determine amount of benefits allowable under Medicare, and material used to determine whether a sanction or suspension is warranted.

Authority for maintenance of the system:

Sections 205, 1155, 1156, 1869, and 1872 of the Social Security Act, as amended.

Purpose(s):

The Hearing and Appeals File contains information used in processing the claimant's Request for Hearing or Appeal; information for the conduct of the hearing or appeal; information the Administrative Law Judge uses to reach a decision; and information to reply to future correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to: (1) A contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system or for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

(2) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(3) To the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(4) The Department of Justice for investigation and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and magnetic media.

Retrievability:

Records are normally retrieved numerically by the docket control number. However, records will be cross-referenced by the beneficiary's social security number, physician's or other individual's identification number, and alphabetically by name, in order to associate correspondence.

Safeguards:

a. Authorized Users: Only agency employees and contractor personnel whose duties require the use of information in the system. In addition, such agency employees and contractor personnel are advised that the information is confidential and of criminal sanctions for unauthorized disclosure of information.

b. Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act language is included in contracts related to this system.

d. Implementation Guidelines: Safeguards are implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of HHS' Automated Data Processing Manual, "Part 6, ADP System Security."

Retention and disposal:

Records are retained for 10 years after the last action on the record.

System manager(s) and address:

Associate Administrator/Office of Associate Administrator of Operations, Health Care Financing Administration, Room 742, East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the case control number or the claimant's name and health insurance claim number or provider number.

Record access procedures:

Same as notification procedure. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Departmental Regulations, 45 CFR 5b.7.)

Contesting record procedures:

Contact the system manager named above, and reasonably identify the record and specify the information to be contested. State the reason for contesting it (e.g., why it is inaccurate, irrelevant, incomplete or not current). (These procedures are in accordance with Departmental Regulations, 45 CFR 5b.7.)

Record source categories:

HCFA obtains the identifying information in this system from the request for a Medicare hearing or appeal. Information in these records are obtained from Medicare carrier or intermediary, or Peer Review Organization records.

Systems exempted from certain provisions of the act:

None.

09-70-6001

System name:

Medicaid Statistical Information System (MEDSTAT).

Security classification:

None.

System location:

Health Care Financing Administration, 6325 Security Boulevard, Baltimore, Maryland 21207 (Contact system manager for location of magnetic computerized records.)

Categories of individuals covered by the system:

Persons enrolled in Medicaid in participating States.

Categories of records in the system:

Medicaid enrollment records, and Paid health care claims records.

Authority for maintenance of the system:

Section 1902(a)(6) of the Social Security Act (42 U.S.C. 1396a(a)(6)).

Purpose(s):

1. To make available high quality, accurate, flexible, and timely data on the Medicaid program by collecting standardized enrollment and paid claims data that will be reported, verified, and maintained on an ongoing basis.

2. To establish a single primary source of Medicaid data at the Federal level for maintaining a single, accurate, and comprehensive Medicaid data base that can be analyzed to produce regular statistical reports; to support research of important policy, quality and effectiveness of care, and epidemiological issues; and to support detecting fraud, abuse, and waste regarding the Medicaid program.

3. To eliminate the need for special data collection efforts to obtain the data necessary to support special studies.

4. To reduce the State reporting burden by eliminating redundant reporting and the need to prepare complex, time consuming summary information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

1. A contractor for the purpose of collating, analyzing, aggregating, or otherwise refining or processing records in this system, or for developing, modifying and/or manipulating it with ADP software. Data would also be available to users incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications system containing or supporting records in the system.

2. The congressional office of an individual, in response to an inquiry from that congressional office at the request of the individual involved.

3. The Department of Justice, to a court or other tribunal, or to another party before such tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components;

Is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. An individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease or disability, the restoration or maintenance of health, or the study of the costs of providing health care, if HCFA:

(a) Determines that the use or disclosure does not violate legal limitations under which the record was provided, collected, or obtained.

(b) Determines that the purpose for which the disclosure is to be made:

(1) Cannot be reasonably accomplished unless the record is provided in individually identifiable form;

(2) Is of sufficient importance to warrant the effect and/or risk on the privacy of the individual that additional exposure of the record might bring; and

(3) There is reasonable probability that the objective for the use would be accomplished.

(c) Requires the information recipient to:

(1) Establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and

(2) Remove or destroy the information that allows the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project unless the recipient presents an adequate justification of a research or health nature for retaining such information, and

(3) Make no further use or disclosure of the record except:

a. In emergency circumstances affecting the health or safety of any individual;

b. For use in another research project, under these same conditions, and with written authorization of HCFA;

c. For disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit; or

d. When required by law.

(d) Secures a written statement attesting to the information recipient's understanding of and willingness to abide by these provisions.

5. Employees of a State government for the purposes of investigating potential fraud, abuse, or waste related to the Medicaid program or for research relating to the Medicaid program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic media.

Retrievability:

Records may be retrieved by the MEDSTAT identification number (which may be either a State-assigned identifier or a social security number.)

Safeguards:

a. Authorized Users: Only HHS employees and contract personnel whose duties require the use of the system may access the data. In addition, such HHS employees and contractor personnel are advised that the information is confidential and that criminal sanctions for unauthorized disclosure of private information may be applied.

b. Physical Safeguards: Data tapes are stored in secured facilities and access is protected by Resource Access Control Facility (RACF) data security system. Access to data on disk is secured by using RACF, Model 204 password security, MEDSTAT system password security, file-level password security, and field-level password security.

c. Procedural Safeguards: Employees who maintain records in the system are instructed to grant regular access only to authorized users. Data stored in computers are accessed through the use of passwords known only to authorized personnel. Contractors who maintain records in the system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act.

d. Implementation Guidelines: Safeguards are implemented in accordance with all guidelines required by the Department of Health and Human Services. Safeguards for automated records have been established in accordance with the Department of Health and Human Services' automated Data Processing Manual, Part 6 "ADP System Security."

Retention and disposal:

Records will be retained for 10 years after the last action on the record.

System manager(s) and address:

Director, Office of Medicaid Estimates and Statistics, Health Care Financing Administration, J-1, EQ05, 6325 Security Boulevard, Baltimore, Maryland 21207.

Notification procedure:

Inquiries and requests for system records should be addressed to the system manager at the address above. The requestor must specify the State, Medicaid Identifier number, date of birth, and social security number.

Record access procedures:

Same as notification procedures. Requestors must reasonably specify the information being sought. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.5(a)(2).)

Contesting record procedures:

Contact the system manager named above, reasonably identify the record (provide State, Medicaid identifier number, date of birth, and social security number), and specify the information to be contested. State the reason for contesting it; e.g., why the information is inaccurate, irrelevant, incomplete or not current. (These procedures are in accordance with Departmental Regulations (45 CFR 5b.7).)

Record source categories:

HCFA obtains the identifying information in this system from State Medicaid Agencies. Almost all information in the proposed system is derived from States' Medicaid Management Information Systems.

Systems exempted from certain provisions of the act:

None.

Social Security Administration

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09–60–0196 Disability Studies, Surveys, Records and Extracts (Statistics), HHS/SSA/OP.
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90-60-0001

System name:

Commissioner's Correspondence File, HHS/SSA/OC.

Security classification:

None.

System location:

Social Security Administration, Room 922, Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235 and Social Security Administration, Room 656G Hubert H. Humphrey Building, 200 Independence Avenue, SW, Washington, D.C. 20201.

Categories of individuals covered by the system:

Any person or group who writes directly to the Commissioner of Social Security.

Categories of records in the system:

The Commissioner's incoming personnel correspondence and responses to such correspondence.

Authority for maintenance of the system:

Section 205 of the Social Security Act.

Purpose(s):

This system is established solely for reference when applying to subsequent inquiries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form and in magnetic media (e.g., magnetic tape and disk).

Retrievability:

Records in this system are indexed and retrieved by the name of the correspondent.

Safeguards:

Safeguards for automated records have been established in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in a secured enclosure attended by security guards. Anyone entering or leaving the enclosure must have a special badge issued only to authorized personnel. Access to specific records in this system is limited to members of the Executive Secretariat's staff. Also, employees are periodically briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personnel records.)

Retention and disposal:

General correspondence is held 2 years. Paper files are destroyed by shredding when deemed appropriate. Computer files are archived after 12 months.

System manager(s) and address:

Chief, Baltimore Branch, Executive Secretariat, 922 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the following address: Office of the Commissioner, 922 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification or access to a record in this system, the individual should refer to this system and provide his or her name and return address. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requestors should reasonably identify the record, specify the information they are contesting and the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Incoming correspondence and responses to the correspondence.

Systems exempted from certain provisions of the act:

None.

09-60-0002

System name:

Automated Controlled Correspondence Extraction System, HHS/SSA/OGA.

Security classification:

None.

System location:

Social Security Administration, Office of Public Inquiries, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Office of Disability Operations, Dickenson Tower Building, 1500 Woodlawn Drive, Baltimore, MD 21241
Social Security Administration, Office of Hearings and Appeals, Ballston Center, Tower 2, 800 Randolph Road, Arlington, VA 22204 and Health Care Financing Administration, Medicare Bureau, 6401 Security Boulevard, Baltimore, Maryland 21235

Categories of individuals covered by the system:

Records are maintained for individuals who forward a request for information to the Commissioner of Social Security and for individuals whose requests to members of Congress, the President, etc., are forwarded to the Commissioner for response.

This system also contains records on Social Security beneficiaries (or persons inquiring on their behalf) who are reporting failure to receive a check or checks which they believe are due or are inquiring about other matters which have been determined to be of critical or sensitive nature.

Categories of records in the system:

Information in the records includes the following: Name of individual involved (and Social Security number if given); name of third party inquirer (if present); type of correspondence; organizational component having initial responsibility for the inquiry; Congressman's name (if a congressional inquiry); inquiry source code (indicates which congressman's office referred an inquiry to the Social Security Administration (SSA)); address-to code (official to whom inquiry is directed); signature code (official whose name will appear on the reply); computer identification code (10-digit code cross-referred to the name of the individual); subject matter code; location of information (component and date of receipt); and response information (type and date of Social Security Administration response).

Authority for maintenance of the system:

Section 205(a) and 1631 of the Social Security Act (42 U.S.C. sections 405(a) and 1383) and section 413 of the Federal Coal Mine Health and Safety Act (Black Lung Act).

Purpose(s):

Information is maintained in this system solely to aid in the control of correspondence through the various processing steps. This system is used to control processing of correspondence within the SSA Central Office complex and the SSA Office of Hearings and Appeals in Arlington, Virginia, and to provide management information regarding the correspondence process.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of the Treasury to determine if payment was issued or check returned for cash.

3.Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in magnetic media (e.g., magnetic tape and computer discs and in paper form.

Retrievability:

The data in this system are retrieved by both name and computer identification number, which are cross-referred.

Safeguards:

Safeguards for automated records have been establish in accordance with the HHS Automatic Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in secured enclosures attended by security guards. Anyone entering or leaving the enclosures must have a special badge issued only to authorized personnel. Access to specific records is limited to employees who have a need for them in the performance of their official duties. Paper records are maintained in locked files or in buildings which are secured after normal business hours. Also, all employees periodically are briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

Records are maintained on-line in the system from the time of control until 13 months after the final response is released. Magnetic tape records are maintained for an additional 24 months before being erased. Paper records are disposed of by shredding when deemed no longer needed.

System manager(s) and address:

Director, Office of Public Inquiries, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the following address: Chief, Correspondence Systems and Analysis Branch, Office of Public Inquiries, Social Security Administration, 6401, Security Boulevard, Baltimore, 21235.

When requesting notification of or access to records, the individual should provide his or her name, the person to whom the inquiry was sent, and the date of the inquiry. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from inquiries directed to the Commissioner of Social Security from members of the public; individuals or someone acting on their behalf; the individual's claims record (maintained in the system 09-60-0089); and contacts within and outside SSA.

Systems exempted from certain provisions of the act:

None.

09-60-0003

System name:

Hearing File and Attorney Fee File, HHS/SSA/OHA.

Security classification:

None.

System location:

Hearing File: Preparation of new hearing files was discontinued as of May 30, 1975. Files prepared prior to that date are still used, when available, by Office of Hearings and Appeals (OHA) employees at appropriate work stations. Existing files are maintained at: Social Security Administration, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

Attorney fee information is maintained primarily in the appropriate hearing offices (see Appendix G for address information).

When the Administrative Law Judge recommends approval of a requested fee amount which exceeds 3,000 or when there is a requested administrative review of fees initially authorized by the Administrative law Judge, the files are maintained by the regional chief Administrative Law Judge in the appropriate regional office (see Appendix G for Address information).

Attorney fee files relating to requested administrative review of fees initially authorized by the regional chief Administrative law Judges, as well as those where the Attorney Fee staff has sole jurisdiction, are maintained at: Social Security Administration, Office of Hearings and Appeals, 200 Glebe Road Arlington, Virginia 22203.

Categories of individuals covered by the system:

Claimants Title II (Retirement, Survivors and Disability Insurance), Title IX (claimants subject to professional standards review), Title XVI (Supplemental Security Income), Title XVIII (Health Insurance), and claimants for Black Lung Benefits under provisions of the Federal Coal Mine Health and Safety Act; and attorneys representing claimants in Social Security Administration proceedings.

Categories of records in the system:

When present, the hearing file generally contains: Request for hearing, notice of hearing, "Appearance at Hearing" Card signed by claimant, correspondence to and from claimant, representative, or other source of evidence, cassette recordings of hearing, HA-503 card (case control device), decision (or dismissal order) and any material otherwise in an Appeals File.The hearing file (when present) may also contain the following information which is otherwise maintained as the Attorney Fee File: Attorney Fee Petition; Fee Authorization Order; related correspondence and control card; and when appropriate, request for administrative review and Attorney Fee Analyst recommendation.

Authority for maintenance of the system:

Sections 205,1631(d)(1), and 1872 of the Social Secutity Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The Hearing File contains information used in processing the claimant's Request for Hearing; information for the conduct of the hearing, if any; and information the Administrative law Judge uses to reach a decision. Attorney Fee Files are used in processing attorney fee petitions and to respond to correspondence and other inquiries related to representation of claimants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be make for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components: or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To applicants, claimants, beneficiaries, other than the subject individual, authorized representatives, experts, and other participants at a hearing to the extent necessary to pursue a claim or other matter on appeal.

4. To an attorney to the extent necessary to dispose of an attorney fee petition.

5. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

6. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

7. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

8. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form (e.g., individual case folders and file control cards).

Retrievability:

Records are indexed and retrieved by name and Social Security number.

Safeguards:

Hearing File folders are stored in filing cabinets. Attorney Fee File control cards are stored in filing containers. The folders are kept on filing shelves. The records are kept in a secured storage area with access to and use of these records limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

After all actions are completed, hearing files are forwarded to the Federal Archives Records Center. Attorney fee file folders are destroyed after 2 years, control card after 5 years, by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the system manager at the address shown below: Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

When requesting notification of or access to records, the individual should provide his/her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters also should reasonably identify the record, specify the information they are contesting and state the correction action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is derived from the claimant, his or her representative, appropriate members of the public, the Social Security Administration and other Federal, State and local agencies.

Systems exempted from certain provisions of the act:

None.

09-60-0004

System name:

Working File of the Appeals Council, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearing and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability Insurance); Title VI (Supplemental Security Income); Title XVIII (Health Insurance); Title XI (Claimants subject to Professional Standards Review) and claimants for Black Lung benefits under provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

This file generally contains: Hearings and Appeals analyst's recommendation to the Appeals Council; a copy of the Administrative Law Judge decision or dismissal; a copy of the Request for Review by the Appeals Council form; copies of correspondence and replies relating to the case; requests to Medical Support Staff and their comments, if not entered into the record; copies of Appeals Council actions on the case; notice of denial of request for review, order of remand, notice of granting review, Appeals Council decisions; copies of all post-adjudicative actions or correspondence; copies of transcripts when available.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The Appeals File is established to be an internal working file used in connection with a recommendation to, or action by, the Appeals Council in an individual case. The Office of Hearings and Appeals creates the file when there is no hearing file. Members of the Appeals Council and their support staff use the Appeals File when working on cases on appeal and when handling post-adjudicative actions and correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in paper form (e.g., paper folder files on filing shelves).

Retrievability:

The records are indexed and retrieved by use of the Social Security number.

Safeguards:

Access to and use of these records limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are destroyed 12 calendar months after the Appeals Council's final action where no court action is initiated. In active court cases, the records are destroyed 4 calendar months after final court action. All files are destroyed by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the following address and providing his or her name and Social Security number (or the name and Social Security number under which the claim was filed). (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

Social Security Administration, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the record contents they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Claimants, his/her representative, appropriate members of the public, the Social Security Administration and other Federal, State and local agencies.

Systems exempted from certain provisions of the act:

None.

09–60–0005

System name:

Hearing Office File, HHS/SSA/OHA.

Security classification:

None.

System location:

Local hearing offices (See Appendix G for address information).

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability Insurance); Title XI (Claimants subject to Professional Standards Review); Title XVI (Supplemental Security Income); Title XVIII (Health Insurance); and claimants for Black Lung benefits under provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

The Hearing Office File is established in the hearing office of hearing actions taken on each particular case. The file may contain copies of the Notice of Hearing, Decision on Dismissal, and the Exhibit List when one is prepared, a copy of congressional inquiries and responses thereto as well as copies of post-adjudicative material received and any responses made, but not official copies, which are placed in claims folders.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

This system is used to reference the actions taken in a particular case at the hearing level. The Administrative Law Judge or hearing office staff uses the information to reply to future correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are maintained in paper form.

Retrievability:

The records are indexed and retrieved alphabetically by claimants' names.

Safeguards:

Access to and use of the records are limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

The records are destroyed by shredding, 2 years after final action was taken.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing the hearing office (see Appendix G for address information).

When requesting notification, the individual should provide his or her name, address, and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations, 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations, 45 CFR Part 5b.

Record source categories:

Claimants, their representatives, appropriate members of the public, the Social Security Administration and other Federal, State and local agencies.

Systems exempted from certain provisions of the act:

None.

09-60-0006

System name:

Storage of Hearing Records: Tape Cassettes and Audiograph Discs, HHS/SSA/OHA.

System location:

Social Security Administration, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability Insurance); Title XI (Claimants subject Professional Standards Review); Title XVI (Supplemental Security Income); Title XVIII (Health Insurance) and claimants for Black Lung benefits pursuant to provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

Recording of actual hearing before an Administrative Law Judge. Hearing cassettes are recorded on reel tapes. Each reel tape contains a consolidation of approximately 940 cassettes.

Authority for maintenance of the system:

Sections 205, 1631, and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The tape cassettes and audiograph discs system is the basic record of the hearing conducted in an individual case by the Administrative Law Judge. It is the source from which the document transcript is prepared. Social Security employees use the information as a reference to respond to subsequent correspondence and/or further appeal of the claim and to process an attorney fee petition when appropriate.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to

assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on cassette tapes, master tape reels, and in disc storage containers.

Retrievability:

The records are indexed by name and Social Security number.

Safeguards:

The containers are housed on racks in a secure storage area with access to the records limited to employees with a job related need to know. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Tape cassettes dated prior to 1981 are transferred to the Washington National Records Center (WNRC) 12 months after the last action on the case. The cassettes are destroyed (erased) after 10 years in the WNRC. Tape cassettes dated 1981 and after, after recording on reels, are erased and returned to blank stock after 6 months. Master reels are transferred to the WNRC when 3 years old and then erased after 10 years. Disks are erased when 3 years old.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the address below and providing his or her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) The date the hearing was held would be helpful, but is not mandatory.

Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The records are derived from claimants, representative, witnesses and the Administrative Law Judge and staff persons.

Systems exempted from certain provisions of the act:

None.

09-60-0008

System name:

Administrative Law Judge's Docket, HHS/SSA/OHA.

Security classification:

None.

System location:

All hearing offices (See Appendix G for address information).

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability Insurance); Title XI (Claimants subject to Professional Standards Review); Title XVI (Supplemental Security Income); Title XVIII (Health Insurance) and claimants for Black Lung benefits pursuant to provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

Information in this system consists of a list of the cases pending before the Administrative Law Judge. When a Request for Hearing is received, a case control card is prepared. Case control cards serve as a docket of assigned cases for the Administrative Law Judges.

Authority for maintenance of the system:

Sections 205, 1631(d), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

This system enables the Administrative Law Judges to maintain control of his or her caseload.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in paper form.

Retrievability:

The records are indexed and retrieved by use of the Social Security number.

Safeguards:

Access to and use limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

As each case is disposed of, copy #1 remains in a central locator file and is shredded after 2 years; copy #2 is filed in the Hearing Office File and is destroyed at the time the Hearing Office File is destroyed; copies # 3 and 4 are placed in the Claims Folder and remains there until that file is destroyed.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing the hearing office (see Appendix G for address information).

When requesting notification, the individual should provide his or her name, Social Security number and address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Administrative law judge, from information on incoming cases.

Systems exempted from certain provisions of the act:

None.

09-60-0009

System name:

Hearings and Appeals Case Control System, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals,
801 North Randolph Street, Arlington, Virginia 22203
and each Hearing Office (see Appendix G for address information)

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability Insurance); Title XI (Claimants subject to Professional Standards Review); Title XVI (Supplemental Security Income); Title XVIII (Health Insurance) and claimants for Black Lung benefits pursuant to provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

Social Security number, name, type of claim, last action on case/date, location of case (office), date of receipt, hearing request (date/type/ schedule date/request for review date), administrative law judge, cross reference number.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The SSA Office of Hearings and Appeals uses this system to ascertain case location and status.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3.Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form, on microfilm and in magnetic media (e.g., magnetic tape and magnetic disk).

Retrievability:

The records are indexed and retrieved by use of the Social Security number.

Safeguards:

Access to and use of the records are limited to those employees whose official duties require such access. System security for the automated records has been established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in secured enclosure attended by armed marshals. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are retained until they are retired to a Federal Archives Records Center; magnetic tape records then are erased and returned to stock. Paper records are disposed of by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by following the instructions below:

For cases at the Appeals Council write to: Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

For cases at the Hearing Office write to the Hearing Office at the appropriate address in Appendix G.

When requesting notification, the individual should provide his or her name, address and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is obtained from claimants, representatives, appropriate members of the public, the Social Security Administration and other Federal, State and local agencies.

Systems exempted from certain provisions of the act:

None.

09-60-0012

System name:

Listing and Alphabetical Name File (Folder) of Vocational Experts, Medical Advisors, and Medical Consultants, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals, Vocational Consultant Program Staff, 801 North Randolph Street, Arlington, Virginia 22203

Social Security Administration, Office of Hearings and Appeals, Appeals Council, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203 and each hearing office (see Appendix G for address information)

Categories of individuals covered by the system:

Individuals under contract to provide expert or consultative services to the Office of Hearings and Appeals.

Categories of records in the system:

A list of all Vocational Experts and Medical Advisors under contract, who are within the area serviced by the hearing office, and their usage. A list of all Medical Consultants under contract for services in Central Office. In addition, a folder is kept for each expert containing name, Social Security Number, a copy of the contract, qualifications, travel orders, invoices, and correspondence and other written records concerning usage as a expert, including evaluation or services.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended and section 413(d) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The purposes of this system are as follows: Listing alphabetically by name of vocational expert and medical advisor is used to select the expert or advisor on a rotational basis for use in a hearing case. Listing alphabetically by name of consultant is used to select a consultant as needed in a case before the Appeals Council. Records maintained in contractor files are used for carrying out administrative management responsibilities. These may be used in connection with budgetary planning, assessing services and usage, renewal of contracts, and preparing statistical or summary reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form.

Retrievability:

Records are retrieved alphabetically by name.

Safeguards:

Folders are maintained in locked filing cabinets. Access to and use are limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are retained for at least 2 years after expiration of contract at which time they are disposed of by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him of her by writing to the applicable hearing office (see

Appendix G for address information) for vocational experts and medical consultants; or to the address below for medical advisors:

Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

When requesting notification, an individual should provide his or her name, Social Security number, date of birth, and type of contract services. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The records are derived from information supplied by the individual or information provided by SSA officials.

Systems exempted from certain provisions of the act:

None.

09–60–0013

System name:

Records of Usage of Medical Advisors, Medical Consultants and Vocational Experts, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals, Appeals Council, 3833 North Fairfax Drive, Room 105, Arlington, Virginia 22203.

Categories of individuals covered by the system:

Medical advisors, medical consultants and vocational experts.

Categories of records in the system:

Records contains information about the usage of medical advisors, medical consultants and vocational experts such as the occasions on which each medical advisor, medical consultant or vocational expert supplied advice or services to the administrative law judges or the Appeals Council, respectively, amount of time involved, fees paid, and types of cases.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The purpose of this system is to provide information so that the Social Security Office of Hearings and Appeals can measure the usage of medical advisors, medical consultants and vocational experts and make its determinations on contract renewal. This system is used to prepare statistical or summary reports and to counsel physicians about services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office from the record of an individual in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., folders, looseleaf binders and punchcards) and in magnetic media (e.g., magnetic tape and magnetic disks).

Retrievability:

Records are retrieved alphabetically by name.

Safeguards:

Folders are kept in locked cabinets. System security for automated records have been established in accordance with HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining magnetic tape and magnetic disk records in an enclosure attended by security guards. Access to and use of the records are limited to Office of Hearings and Appeals management and administrative employees whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are maintained for contract duration of each medical advisor, medical consultant or vocational expert as deemed necessary for consideration with subsequent contract application. Paper records are disposed of by shredding and automated records by erasure.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the following address:

Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

When requesting notification, the individual should provide his or her name, Social Security number, and whether he or she is a medical adviser, medical consultant or vocational expert. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The records are obtained from Administrative Law Judges, the Appeals Council, and supporting staffs.

Systems exempted from certain provisions of the act:

None.

09–60–0014

System name:

Curriculum Vitae and Professional Qualifications of Medical Officers and Medical Advisors, Medical Consultants and Resume of Vocational Experts, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals,
Vocational Consultant Program Staff, 801 North Randolph
Street, Arlington, Virginia 22203
Manager, Appeals Council, Office of Hearings and Appeals, 801
North Randolph Street, Arlington, Virginia 22203 and
each Hearing office (See Appendix G for address
information).

Categories of individuals covered by the system:

Medical offices, medical consultants, vocational experts and medical advisors.

Categories of records in the system:

Curriculum vitae and professional qualifications.

Authority for maintenance of the system:

Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act as amended.

Purpose(s):

This system is reproduced as appropriate for use as an exhibit in individual cases. The Administrative Law Judge or Appeals Council member uses the information to demonstrate the physician's professional background and expertise, and the vocational expert's professional background and expertise.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee,

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

3. To parties to a hearing, as a matter of due process.

4. To the claimant (who would be a third party in this instance), as a matter of due process.

5.Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

6. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

7. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., folders in filing cabinets).

Retrievability:

Records are retrieved alphabetically by the name of the individual.

Safeguards:

Folders are kept in metal filing cabinets. Access to and use of these records are limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are maintained as long as medical officers are employed by the Office of Hearings and Appeals and medical advisor, medical consultant, or vocational expert is under contract, after which they are disposed of by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the appropriate hearing office (see Appendix G for address information) or to the address below.

Social Security Administration, Office of Hearing and Appeals, P.O. Box 2518, Washington, D.C. 20013.

When requesting notification, the individual should provide his or her name, Social Security number, and indicate whether he or she is a medical officer, medical advisor, medical consultant, or vocational expert. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information either comes from the individual, from information supplied by the individual or from medical directories.

Systems exempted from certain provisions of the act:

None.

09-60-0015

System name:

List of Physicians Utilized as Readers of Black Lung X-Ray Films, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203 and each Hearing Office (See Appendix G for address information).

Categories of individuals covered by the system:

Physicians under contract utilized by the Office of Hearings and Appeals for X-ray reading in Black Lung cases.

Categories of records in the system:

Copy of contract, professional qualifications and curriculum vitae of the physicians.

Authority for maintenance of the system:

Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

This system facilitates the selection of an appropriate physician to read black lung X-ray films in individual cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., folders in filing cabinets).

Retrievability:

Records are retrieved alphabetically by the name of the physician.

Safeguards:

Folder are kept in locked filing cabinets. Access to and use of these records are limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the appropriate hearing office (see Appendix G for hearing office address) or writing to the following address:

Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013.

When requesting notification, the individual should provide his or her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information obtained from the individual.

Systems exempted from certain provisions of the act:

None.

09-60-0017

System name:

Personnel Research and Merit Promotion Test Records, HHS/SSA/OMBP.

Security classification:

None.

System location:

Social Security Administration, Office of Management, Budget, and Personnel, Office of Human Resources, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Employees of the Social Security Administration (SSA).

Categories of records in the system:

These records include tests, test scores, responses to test items and questionnaires, interview data, and special ratings of employees obtained in test validation and other research.

Authority for maintenance of the system:

Title 5, U.S. Code Sec. 3301, Sec. 1303.

Purpose(s):

This system is established for certain research projects such as those that involve longitudinal studies. Research data are collected on a project by project basis, and are used for the construction, analysis and validation of tests, for research on personnel measurement and selection methods and techniques such as performance evaluation or productivity. Many data are collected under conditions assuring their confidentiality. Personal information in this system of records is used by the Performance Management Branch in its research activities. Merit Promotion Test and Assessment Center Systems are established to be used as factors weighted under SSA Merit Promotion Programs.

These records also may be used as a data source for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To the Office of Personnel Management for personnel research purposes.

2. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

3. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee.

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, on punched cards, microfiche, computer tape, and in computer storage.

Retrievability:

Records are retrieved by one or more of the following: Region or headquarters, name, Social Security number, date of participation, and type of test or assessment center.

Safeguards:

System security for automated records have been established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in secured areas attended by security guards. Anyone entering or leaving the areas must have a special badge issued only to authorized personnel. Access to the records is limited to personnel who have a need for them in the performance of their official duties. Manual records are maintained in locked files or rooms. Also, all SSA employees periodically are briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J to this publication for additional information the Social Security Administration employs to protect personal information.)

Retention and disposal:

Test answer sheets are retained for 1 year and then destroyed by burning. All other covered records are retained indefinitely.

System manager(s) and address:

Director, Office of Human Resources, Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the system manager at the address above and providing the name of this system, his/her name, identifier where required (e.g., Social Security number), and place of SSA employment or former employment. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requestors should reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requestor should reasonably identify the records, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is obtained from individual SSA employees, their supervisors, assessment center assessors or SSA personnel files and records.

Systems exempted from certain provisions of the act:

Under the provisions of 5 U.S.C. 552a, subsection (k)(6), which provides for exempting "testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process, "we exempt from disclosure SSA merit promotion tests, test item files, answer keys, completed answer sheets, transmutation tables and schedules, and ratings given for the purpose of validating tests.

09-60-0031

System name:

Employee Production and Accuracy Records, HHS/SSA/OMBP.

Security classification:

None.

System location:

Operating offices of the Social Security Administration (SSA) at the organizational level of the individual's employment.

Categories of individuals covered by the system:

Current employees of SSA.

Categories of records in the system:

Work measurement records with the following items: Employee name; grade; organization unit and shift; Social Security number; clerk number; supervisor's name; production data (monthly, weekly, daily) and accuracy data; backlog information; error ratio; processing time data; operating and production control codes; and leave usage.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

Information in this system of records is used by SSA managememt for manpower planning and production control (to identify backlogs, and systems and procedure problems, manpower utilization, budget estimatioms, appraisal of employees).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the appropriate Federal, State, or local agency charged with the responsibility of investigating or prosecuting a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute,

or by regulation, rule, or order issued pursuant thereto, if this system of records indicates that a violation may have occurred.

4. To the Department of Justice to obtain its advice if HHS/SSA deems it desirable or necessary in determining whether particular records from this system are required to be disclosed under the Freedom of Information Act.

5. To Federal agencies who have the power to subpoena other Federal agencies' records upon receipt of a subpoena to HHS/SSA.

6. Where a contract between HHS/SSA and a labor organization recognized under Executive Order 11491 provides that HHS/SSA will disclose personal records relevant to the organization's mission.

7. Where the appropriate official of HHS/SSA pursuant to the Department's Freedom of Information Regulation, determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure.

8. To a contractor for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system when HHS/SSA contracts with a private firm.

9. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similiar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

10. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

11. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper forms, punch cards and magnetic tapes.

Retrievability:

Records are indexed and retrieved alphabetically by name and numerically by Social Security number or clerk number.

Safeguards:

System security for automated records have been established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in secured areas attended by security guards. Safeguards also include the use of a lock/unlock password system; exclusive use of leased telephone lines; a terminal oriented transaction matrix, and an audit trail. Access to records in this system is limited to authorized personnel who have a need for them in the performance of their official duties. All employees are briefed periodically on Privacy Act requirements and SSA confidentially rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are kept for 2 years and destroyed. Paper records are disposed of by either burning or shredding. Magnetic tape records are erased when no longer needed.

System manager(s) and address:

Associate Commissioner, Office of Management, Budget, and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by contacting his/her immediate supervisor and providing information necessary to identify the record being sought (e.g., name and Social Security number). (Furnishing the Social Security number is voluntary, but is will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the records contents they are seeking. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are obtained from employees or their supervisors, control personnel or timekeepers.

Systems exempted from certain provisions of the act:

None.

09–60–0032

System name:

Employee Indebtedness Counseling System, HHS/SSA/OMBP.

Security classification:

None.

System location:

Social Security Administration, Office of Management, Budget and Personnel, Office of Human Resources, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Employees of the Social Security Administration (SSA) headquarters who request services or employees about whom SSA receives written inquiries because of employees' alleged delinquency in paying taxes and just debts.

Categories of records in the system:

Records in this system consist of the employee's name, Social Security number, telephone extension, office, branch, grade and area of service; nature of request, including personal information as to finances that the employee voluntarily provides; disposition, including employee's stated intentions; record of letters or tax forms sent as replies and referrals made to community organizations; copies of letters from employees to consumer agencies; letters from creditors or their representatives and copies of our replies and copies of tax levies against employees.

Authority for maintenance of the system:

The Department of Health and Human Services (HHS) Federal Personnel Manual, 735–4–10.B1.

Purpose(s):

Files in this system are used by staff members of the Employee Services and Awards Branch for work processing, perspective in counseling and possible disciplinary action (Division of Personnel Operations) when indicated.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicted below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form (e.g., individual file folders).

Retrievability:

Records are indexed and retrieved alphabetically by name.

Safeguards:

Files are maintained in locked steel file cabinets. Access to the files is limited to authorized employees who have a need for them in the performance of their official duties. Also, all employees periodically are briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J of this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Routine cases are destroyed by shredding after 1 year. Tax review cases are maintained indefinitely. Ongoing cases in which there is indepth counseling may be maintained up to 3 years from date of last contact.

System manager(s) and address:

Director, Office of Human Resources, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the following address: Director, Division of Personnel Operations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification, the individual should provide his/her name. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requestors should reasonably identify the record, specify the information they are contested and state the corrective act sought and the reasons for the correction with supporing justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is obtained from employee, creditors, the Internal Revenue Service, State Tax Division of various States, and from records generated internally in SSA (e.g. Computer Printout 7887 Part I "Locator" used to find telephone extension of employees).

Systems exempted from certain provisions of the act:

None.

09-60-0033

System name:

Requests for Review of Proposed Contracts with Experts and Consultants, HHS/SSA/OMBP.

Security classification:

None.

System location:

Social Security Administration, Office of Management, Budget, and Personnel, Office of Human Resources, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Individuals for whom personal service contracts are proposed.

Categories of records in the system:

This system contains information which is relative to determining whether services should be obtained by the appointment or procurement method. The records may contain the individual's name, education background, work experience, general qualifications, Social Security number and date of birth.

Authority for maintenance of the system:

5 U.S.C. 3109.

Purpose(s):

Information in this system is used by General Accounting Office auditors with requested information concerning the reasons for recommendations made.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendent is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States were HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employees;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

4. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form.

Retrievability:

The records in this system are indexed and retrieved alphabetically by name.

Safeguards:

Records are maintained in lockable file cabinets. Also, employees periodically are briefed on Privacy Act requirements and Social Security Administration confidentiality rules, including the criminal sanctions for authorized disclosures of or access person records. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Director, Office of Human Resources, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the following address: Director, Division of Personnel Policy, Data, and Research, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification of or access to records in this system, the individual should provide his/her name, Social Security number, date of contract and name of the SSA component for whom the contract was performed. Those procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is furnished by the individual and the Social Security Administration component requesting the contract.

Systems exempted from certain provisions of the act:

None.

09-60-0037

System name:

General Criminal Investigations Files, HHS/SSA/OMBP.

Security classification:

None.

System location:

Social Security Administration, Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Suspected and reported violators of Federal and State criminal laws on Social Security Administration (SSA) property.

Categories of records in the system:

Investigative efforts to resolve reported crimes and evidence obtained.

Authority for maintenance of the system:

Section 535 of Title 28, United States Code.

Purpose(s):

Information in this system is used to provide an official record of details of investigative efforts for use in administrative and/or criminal proceedings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records where collected.

3. To the appropriate Federal, State, or local agency charged with the responsibility of investigating or prosecuting a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute, or by regulation, rule, or order issued pursuant thereto, if this system of records indicates that a violation may have occurred.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored in heavy-weight Kraft files.

Retrievability:

Files in this system are indexed and retrieved alphabetically by name.

Safeguards:

Access to files is limited to Protective Security Section employees only. The files are maintained in fireproof, locked, steel cabinets. Also, employees periodically are briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personal records. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Files in this system are destroyed by shredding 3 years after final action.

System manager(s) and address:

Chief, Protective Security Branch, Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the System Manager at the above address. The request should contain his or her full name, date of birth and work location in SSA. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Per 5 U.S.C. 552a(k)(2), the records in this system generally are exempt from access by the individual named in the records. However, access will be granted to information which is a matter of public record or documents furnished by the individual. Also, requestors should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requestors should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is derived from interviews of persons believed knowledgeable about crimes under investigation who furnish relevant facts which can serve to identify possible violators and secure the conviction of the guilty.

Systems exempted from certain provisions of the act:

Exemption of this system to the access provisions is claimed under section (k)(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for law enforcement in anticipation of criminal proceeding. (See page 47413 of Federal Register of 8/8/75, Vol. 40, No. 196, Part V).

09-60-0038

System name:

Employee Building Pass Files, HHS/SSA/OMBP.

Security classification:

None.

System location:

Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

All Social Security employees and non-Social Security employees who require continuous access to buildings; (e.g. employees of vendors and contractors).

Categories of records in the system:

Information relative to issuance of identification cards (e.g., name, Social Security number, office location, office telephone number, color code for type of pass and agency or firm name).

Authority for maintenance of the system:

Federal Property Management Regulations, 41 CFR 101-20. 302—Admission to Property.

Purpose(s):

Employee identification cards are used and required for admission to Social Security buildings. The file of application forms verify issue of an identification card to an employee and verify prior issuance in the event of loss or theft of the card.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained on paper forms.

Retrievability:

Records are indexed and retrieved alphabetically by name.

Safeguards:

The records are stored in locked files. Access to the records is limited to those employees who have a need for them in the performance of their official duties. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employes to protect personal records.)

Retention and disposal:

The information provided on forms is retained for the length of service of the individual and then destroyed by shredding; picture passes, once surrendered, also are destroyed by shredding.

System manager(s) and address:

Chief, Protective Service Branch, Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by contacting the following address: Chief, Employee Services Section, Office of Management, Budget and Personnel, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification of or access to records in this system, the individual should provide his/her full name, date of birth and work location with SSA. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in these files is received from the Division of Personnel and Training Operations, individual employees, contractors and vendors.

Systems exempted from certain provisions of the act:

None.

09–60–0040

System name:

Quality Review System, HHS/SSA/OA.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Randomly selected applicants for and/or beneficiaries of:

a. Supplemental Security Income (SSI) payments under Title XVI of the Social Security Act. Records of some SSI beneficiaries may have been transferred from State welfare rolls for aid to the aged, blind, and disabled.

b. Retirement, Survivors, and Disability insurance benefits under Title II of the Social Security Act.

Categories of records in the system:

a. Supplemental Security Income Quality Review: Quality Review Data Base, selected casefile, contingency sample master file, quality assurance universe file, designated case file, designated case transmission file, designated case extract file, and sample control list. These records may contain: Social Security number, State and county of residence, type of claim, information regarding federally administered supplementation payments, Social Security claims numbers, living arrangements and family composition, income and medical information, sex, race, resources, third party contacts, and indications of processing errors.

b. Retirement and Survivors Insurance and Disability Insurance Quality Review: These records contain information regarding Federal payments and other information listed in (a) above.

Authority for maintenance of the system:

Sections 205(a), 1631(d), and 1631(e) of the Social Security Act.

Purpose(s):

The Quality Review Data Base is used for accumulating and tabulating data to determine the accuracy of the entitlement status of applicants/beneficiaries and of benefit amounts paid under the Retirement and Survivors Insurance program and the Disability Insurance program, and the eligibility status of applicants/beneficiaries and of benefit amounts paid under the Supplemental Security Income program. Title XVI data also are used to calculate Federal fiscal liability case and gross dollar error rates for State suplementation funds administered by SSA. Other categories of records provide data necessary to complete the data base and to provide information to SA's Field Assessment Office Divisions of Payment and Eligibility Quality and Field and Satellite Offices so that they may review cases to obtain information on the general level of accuracy of the entire beneficiary rolls in the programs noted previously.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

With respect to SSI data, disclosure may be made as indicated below:

1. To the appropriate Federal agency charged with the responsibility for investigating or prosecuting a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, if this system of records indicates that a violation may have occurred.

2. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. To a contractor for the purpose of collating, evaluating, analyzing, aggregating or otherwise refining records in this system when HHS, Social Security Administration contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

4. In the course of employee discipline or competence determination proceedings.

5. To members of the community and local, State, and Federal agencies in order to locate the individual (when his or her whereabouts are unknown), to establish the validity of evidence or to verify the accuracy of information presented by the applicant/beneficiary, representative payee, legal guardian or other representative of the applicant/beneficiary.

6. To State Welfare Departments pursuant to agreements with the Social Security Administration for the Federal administration of State supplementation payments.

7. To State agencies for administration of the Medicaid Quality Control system.

8. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

9. Where Federal agencies having the power to subpoena other Federal agencies' records, issue a subpoena to HHS or the Social Security Administration SSA will make such records available.

10. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

11. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

With respect to Title II data, routine disclosure is made only as indicated in items 1, 2, 3, 4, 5, 8, and 9.

12. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tape and disks).

Retrievability:

Records are indexed and retrieved by any set of record characteristics; e.g., Social Security number, or name.

Safeguards:

System security has been established for the records in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." Tapes are stored in tape vault in the Division of Data Processing Operations, Office of Systems Operations, or in protected storage racks, disks in protected storage racks. The entire area is secured by guarded entrances, with admission limited to authorized personnel. (See Appendix J to this publication for additional information relating to safeguards the Social Security employs to protect personal information.)

Retention and disposal:

The Quality Review data base is retained indefinitely. Tape records are erased after 30–500 days.

System manager(s) and address:

Director, Office of Payment and Eligibility Quality, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the following address: Director, Division of Quality Review Policy and Sample Control, Division of Payment and Eligibility Quality, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification of or access to records, the individual should provide his/her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion.

These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS 45 CFR Part 5b.

Record source categories:

Information in the Social Security Administration Quality Review System is furnished by applicants for and beneficiaries of the Retirement and Survivors Insurance program, the Disability Insurance program, and the Supplemental Security Income program, representative payees of such individuals (where appropriate), Social Security Administration offices, other Federal and State agencies, and private sources.

Systems exempted from certain provisions of the act:

None.

09-60-0042

System name:

Quality Review Case File, HHS/SSA/OA.

Security classification:

None.

System location:

Social Security Administration, Office of Assessment, Office of Payment and Eligibility Quality, 6401 Security Boulevard, Baltimore, Maryland 21235

Field (10) and Satellite (27) Offices (See Appendices L.1 and L.2 for address information).

Categories of individuals covered by the system:

Randomly selected applicants for and/or beneficiaries of:

a. Supplemental Security Income (SSI) payments under Title XVI of the Social Security Act. Records of some SSI beneficiaries may have been transferred from State welfare rolls for Aid to the Aged, Blind, and Disabled.

b. Retirement, Survivors, and Disability Insurance benefits under Title II of the Social Security Act.

Categories of records in the system:

The Quality Review Casefile contains information from Social Security Administration records and information obtained by Quality Review Specialists from Retirement and Survivors Insurance, Disability Insurance and SSI applicants and or beneficiaries and from third party sources. These casefiles may contain information relating to any combination of these three programs.

Authority for maintenance of the system:

Sections 205(a), 1631(d)(1) and 1631(e)(1)(B) of the Social Security Act.

Purpose(s):

Both Title II and Title XVI Quality Review Casefiles are used for accumulating data concerning the eligibility or entitlement of applicants/beneficiaries and of benefit amounts paid under the retirement, survivors, and disability insurance programs, and the supplemental security income program. Casefiles also provide data necessary to complete the Quality Review Data Base and to provide information to the Social Security Administration's Field Assessment Office Divisions of Payment and Eligibility Quality Field and Satellite Offices needed to review cases in order to obtain information on the general level of accuracy of the entire beneficiary rolls in the programs noted previously.

Data obtained from Title XVI Quality Review Casefiles also are used to calculate the Federal fiscal liability case and gross dollar error rates for State supplementation funds administered by SSA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

With respect to SSI data, disclosure may be made as indicated below:

1. To the appropriate Federal agency charged with the responsibility for investigating or prosecuting a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, if this system of records indicates that a violation may have occurred.

2. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. To a contractor for the purpose of collating, evaluating, analysing, aggregating or otherwise refining records in this system when HHS, Social Security Administration contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

4. In the course of employee discipline or competence determination proceedings.

5. To members of the community and local, State, and Federal agencies in order to locate the individual (when his or her whereabouts are unknown), to establish the validity of evidence or to verify the accuracy of information presented by the applicant/beneficiary, representative payee, legal guardian or other representative of the applicant/beneficiary.

6. To State Welfare Departments pursuant to agreements with the Social Security Administration for the Federal administration of State supplementation payments.

7. State agencies for administration of the Medicaid Quality Control System.

8. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

9. Where Federal agencies having the power to subpoena other Federal agencies' records, issue a subpoena to HHS or the Social Security Administration, SSA will make such records available.

10. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

11. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

With respect to title II data, routine disclosure is made only as indicated in items 1, 2, 3, 4, 5, 8, 9, and 10.

12. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., paper forms in manila folders).

Retrievability:

The Quality Review Casefiles are retrieved by use of the Social Security number. Retrieval will be speedier if the individual's State of residence, program under which benefits were received and/or applied for, and sample selection month are supplied.

Safeguards:

With respect to Title XVI, Quality Review Casefiles are stored in the Field Assessment Satellite Offices that have jurisdictional responsibility for review of the selected sample cases. With respect to Title II, Quality Review Casefiles are stored in the Field Assessment Office Divisions of Payment and Eligibility Quality, Field Offices and, where appropriate, in the Satellite Field Assessment Offices that have jurisdictional responsibility for review of the selected sample cases. All Quality Review Casefiles are stored either in locked cabinets and or locked rooms in space serviced by GSA guards. Access is limited to SSA employees with responsibility for reviewing and maintaining such casefiles and, in the case of SSI Quality Review Casefiles, to State Medicaid Quality Control employees pursuant to item 7 above. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration applies to protect personal records.)

Retention and disposal:

a. Titles XVI Quality Review Casefile are retained for 18 months after the close of the 6-month period for which the cases were selected for quality review or until 36 months after fiscal settlement (Federal fiscal liability situation) for the sample period for which the individual case was selected is reached between SSA and the individual States, whichever is later.

b. Title II Quality Review Casefiles are retained for 18 months after the close of the 6 month sample period for which the cases were selected for review.

System manager(s) and address:

Director, Office of Payment and Eligibility Quality, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the Field Assessment Officer at the respective Field Assessment Office (see Appendix L.1 for address information). When requesting notification of or access to records, the individual should provide his/her name, Social Security number, State or residence and type of claim filed (e.g., Retirement, Survivor's or Disability Insurance). (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion.

These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in the Quality Review Casefile is furnished by applicant/beneficiaries under the Retirement and Survivors Insurance program, the Disability Insurance program, and the Supplemental Security Income program, representatives of such individuals (where appropriate), Social Security Administration offices, and other Federal, State, and local agencies, and from private sources.

Systems exempted from certain provisions of the act:

None.

09-60-0044

System name:

Disability Determination Service Processing File, HHS/SSA/ODP.

Security classification:

None.

System location:

Each Disability Determination Services (DDS's) office (see Appendix B.2 for the name and address for each State DDS).

Categories of individuals covered by the system:

Claimants for Disability Insurance and Black Lung benefits, and Supplemental Security Income payments alleging a disability for whom the Disability Determination Service processes claims.

Categories of records in the system:

Name and Social Security number of wage earner, claimant's name and address, date of birth, diagnosis, beginning and ending dates of disability, basis for determination, work history information, educational level, reexamination date (if applicable), date of application, names and titles of persons making or reviewing the determination and certain administrative data. Also included could be data relative to the location of the file and the status of the claim, copies of medical reports, and data relating to the evaluation and measurement of the effectiveness of claims policies.

Authority for maintenance of the system:

5 U.S.C. 301, 30 U.S.C. 923(b), and Sections 221, 1633, and 1634 of the Social Security Act.

Purpose(s):

The records are used primarily for the processing of disability and black lung claims for detection and correction of deficiencies and problems involved in this processing, and for case control purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be for routine uses as indicated below:

1. To State Vocational Rehabilitation agencies or State crippled children's service agencies (or agencies providing services to disabled children) for the consideration of rehabilitation services per sections 222 and 1615 of the Social Security Act.

2. To State audit agencies utilizing this information for verifying proper expenditure of Federal funds by the State in support of the Disability Determination Service (DDS).

3. To the Veterans Administration of information requested for purposes of determining eligibility for or amount of VA benefits, or verifying other information with respect thereto.

4. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

5. In response to legal process of interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

6. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

7. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

8. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

9. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof, or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form, on magnetic tape or disk packs. The method of storage may vary from State to State.

Retrievability:

The records are filed by a combination of name and Social Security number depending on the Disability Determination Services' preference.

Safeguards:

Automated records are maintained in accordance with HHS Automated Data Processing Manual, "Part 6, ADP System Security." The records are accessible only to Disability Determination Service personnel and subject to the restrictions on disclosures under 5 U.S.C. 552(b)(6), 21 U.S.C. 1175, and 42 U.S.C. 1306. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration applies to protect personal information.

Retention and disposal:

May vary from State to State according to the preference, but generally each State destroys its files over a period varying from 6 months to 36 months unless held in an inactive storage under security measures for a longer period.

System manager(s) and address:

Director, Office of Disability Programs, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing his/her name and Social Security number to the Disability Determination Service Administrator, Disability Determination Services, C/O State in which he or she resides and/or information is likely to be maintained. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) (See Appendix B.2 for address information.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

An individual who requests notification of, or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's discretion. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The information to support factors of entitlement and/or continuing eligibility originates from claimants or those acting on their behalf, physicians, hospitals, and other appropriate sources. Also, information is received from control data that monitors the location and status of the claim.

Systems exempted from certain provisions of the act:

None.

09-60-0045

System name:

Black Lung Payment System, HHS/SSA/OUVR.

Security classification:

None.

System location:

Social Security Administration Office of System Operations, 6401 Security Boulevard, Baltimore, MD 21235.

Categories of individuals covered by the system:

All Black Lung beneficiaries currently entitled to receive a Black Lung (BL) benefit and beneficiaries terminated because of a termination event as defined in the Black Lung Benefits Act (BLBA).

Categories of records in the system:

This system consists of two files, a Payment Master Record and a Benefit Master Record which are matched once a month.

The Payment Master Record reflects the Social Security number (SSN) and the payment identification code under which BL benefits are awarded and payment data such as the monthly payment amount; the scheduled payment amount; offset information; the number of beneficiaries on the account as well as the number of beneficiaries in the payment; the month of accrual; the month of debit; credit information; future month of adjustment diary dates; cross-reference information; payee name and address information, direct deposit data, and statistical information.

The Benefit Master Record contains a benefit record for each beneficiary on the account and includes the SSN; the payment and benefit identification codes; the payment status; the monthly benefit amount; the beneficiary's name; type of benefit; date of birth; race; sex; offset information; credit information; date of filing; date of entitlement; representative payee information, and statistical information.

Authority for maintenance of the system:

Sections 413 and 415 of the BLBA (30 U.S.C. 923 and 925).

Purpose(s):

The data in this system are used by Social Security employees for responding to inquiries; computer exception processing; conversion of benefits; end of the month reconciliations; statistical studies; to generate payment tapes for Treasury; and for exchange with Department of Labor to administering provisions of the BLBA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his/her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee is his/her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to Justice to enable that department or present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry from that individual or from a third party on his/her behalf.

4. Upon request, information on the identity and location of aliens may be disclosed to the Department of Justice (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating, and where appropriate, taking legal action against suspected Nazi war criminals in the United States.

5. To third party contacts (including private collection agencies under contract with the Social Security Administration (SSA)) for the purpose of their assisting SSA in recovering overpayments.

6. To the Department of the Treasury of issue BL checks.

7. To the Department of Labor for administering provisions of the BLBA.

8. Information may be disclosed to contractors and other Federal agencies as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractural or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

9. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

10. Upon request, pursuant to 38 U.S.C. 3006 information may be disclosed to the Veterans Administration (VA) for the purpose of determining eligibility for or amount of VA benefits or verifying other information with respect to VA Pension and Dependency and Indemnity Compensation Benefit Programs.

11. Information may be disclosed to State WC agencies or private WC carriers (or agents on their behalf) for the purpose of the effecient administration of the BL program. We contemplate disclosing information under this routine use only in situations in which SSA enters into a signed agreement with a State WC agency or private WC carrier to assist in accomplishing an agency function relating to the Black Lung Payment System.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tape), disc, microfiche, and in paper form.

Retrievability:

Records in this system are retrieved by SSN.

Safeguards:

Safeguards for automated records have been established in accordance with the HHS Automated Data Processing (ADP) Manual, "Part 6, ADP System Security." This includes storing the records in secured areas with armed security guards. Anyone entering or leaving the areas must have a special badge issued only to authorized personnel. The records are available to employees only in the performance of their official duties. Paper records are maintained in areas with limited access and offices are locked after business hours.

All employees of SSA are periodically briefed on Privacy Act requirements and SSA confidentiality rules, including the criminal sanctions for unauthorized disclosure of or access to personnal records. (See 47 FR 45671, October 13, 1982, Appendix J for additional information relating to safeguards SSA employs to protect personal information.)

Retention and disposal:

Magnetic tape records are retained for up to 90 days after which they are erased and returned to stock. Paper records are destroyed by shredding after use or disposed of through contractual arrangements with trash collectors. Paper records needed for documentation of the claims folder are retained indefinitely in SSA facilities or in Federal Records Centers. All master records are retained on magnetic disc for on-line query purposes. The query files are updated daily. Microfiche records are disposed of by shredding or the application of heat after periodic replacement of a complete file.

System manager(s) and address:

Director, Office of Claims and Payment Requirements, Office of Systems Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235

Notification procedure:

An individual can determine if this system contains a record about him/her by contacting the system manager at the address shown above and providing his/her name, SSN, approximate date and place claim was filed, type of claim and return address. (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

An Individual requesting notification of records in person need not furnish any special documents of identity. It is expected that documents he/she would normally carry on his/her person would be sufficient (e.g., credit cards, drivers license, or voter registration card). An individual requesting notification of records via mail or telephone must furnish his/her name, date of birth and address in order to establish identity, plus any additional information which is specified in this section or the Record access procedures section below.

Record access procedures:

Same as notification procedures above. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures above. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is prepared from Black Lung claims folders which are maintained in the system of records 09–60–0089—Claim Folders.

Systems exempted from certain provisions of the act:

None.

09–60–0046

System name:

Disability Determination Service Consultant's File, HHS/SSA/OD.

Security classification:

None.

System location:

Offices of the Disability Determination Services (DDS) of each State that may currently maintain this type of file. (See the appendix which accompanies this notice for the name and address of each DDS.)

Categories of individuals covered by the system:

Physicians who have expressed a willingness to conduct consultative examinations for the DDS and, in some instances, other physicians with whom the DDS has contact. The latter are usually treating physicians. This file also includes, but is not limited to, psychologists, social workers, nurses, audiologists and vocational consultants who express a willingness to conduct some type of consultative service for the DDS.

Categories of records in the system:

Information relative to a consultant's specialty, past experience as to the promptness with which reports are submitted, general thoroughness of reports, fees received, etc., and perhaps comments on the consultant's own preferences (such as appointment hours, etc.)

Authority for maintenance of the system:

5 U.S.C. 301, 30 U.S.C. 923(b), and Sections 221, and 1633 of the Social Security Act.

Purpose(s):

DDS personnel use this information in the selection of a consultant when additional medical or vocational evidence is needed for claims under Titles II and XVI of the Social Security Act or Title IV of the Federal Coal Mine Health and Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting the Social Security Administration (SSA) in the efficient administration of its program.

We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Each DDS maintains its own records and the method of storage may vary from State to State. Generally, the information is on a file card maintained in a standard card file cabinet. However, some States may used an automated format.

Retrievability:

Records are retrieved by the consultant's surname.

Safeguards:

Only authorized SSA and DDS personnel have access to these records. Personal information other than the name of the consultant is subject to the disclosure restrictions of 5 U.S.C. 552(b)(6), 21 U.S.C. 1175, and 42 U.S.C.

Retention and disposal:

Disability Determination Services policy as to retention and disposal varies from State to State, but generally, the file is destroyed upon death, retirement, or relocation of the consultant.

System manager(s) and address:

Associate Commissioner, Office of Disability, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing name and address to the Disability Determination Services Administrator, Disability Determination Services, C/O the State in which he or she resides and/or information is likely to be maintained (see the appendix accompanying this notice for address information). These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters also should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is obtained mostly from the consultant. Observations of DDS personnel about the consultant, such as the individual's general promptness in filing reports, may occasionally be found in a consultant's file.

Systems exempted from certain provisions of the act:

None.

Appendix—State Disability Determination Service Office Addresses (Included Are Addresses for Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands)

Alabama (Decentralized)

Division of Disability Determinations, Clairmont Office Plaza, P.O. Box C-300, 2800 University Boulevard, Birmingham, AL 35233

Division of Disability Determinations, P.O. Box 2371 (36652-2371), 2000 Old Bayfront Drive, Mobile, AL 36615

Alaska

Disability Determinations Unit, 4100 Spenard Road, Suite A, Anchorage, AK 99503-5387

Arizona (Decentralized)

Disability Determination Services Administration, P.O. Box 11980, Phoenix, AZ 85061

Disability Determination Services Administration, P.O. Box 40060, Tucson, AZ 85717

Arkansas

Disability Determinations for the Social Security Administration, 701 Pulaski Street, Little Rock, AR 72201

California (Decentralized)

Fresno

Division of Disability Evaluation, P.O. Box 1072, Fresno, CA 93714

Los Angeles

Division of Disability Evaluation, P.O. Box 3819, Terminal Annex, Los Angeles, CA 90051

Division of Disability Evaluation, P.O. Box 60999, Terminal Annex, Los Angeles, CA 90060

Sacramento

Division of Disability Evaluation, 744 "P" Street, Room 1827, Sacramento, CA 95809

San Diego

Division of Disability Evaluation, P.O. Box 85326. 6160 Mission Gorge Road, San Diego, CA 92120

Oakland

Division of Disability Evaluation, P.O. Box 24225, Oakland, CA 94623

Colorado

Disability Determination Services, P.O. Box 22336, Denver, CO 80222

Disability Determination Services, 2121 South Oneida Street, Denver, CO 80224

Connecticut

Bureau of Disability Determinations, 600 Asylum Avenue, Hartford, CT 06105

Delaware

Disability Determination Services, Elwyn Building, 3rd Floor, 321 East 11th, Wilmington, DE 19801

District of Columbia

Disability Determination Division, Vocational Rehabilitation Administration, Department of Human Resources, 1120 G Street NW., Washington DC 20001

Florida (Decentralized)

Office of Disability Determinations, 2600 Blair Stone Road, Room 350B, Tallahassee, FL 32301

Office of Disability Determinations, 111 Coast Lane Drive, East, Suite 202, Jacksonville, FL 32202

Office of Disability Determinations, 3438 Lawton Road, Room 127, Orlando, FL 32803

Office of Disability Determinations, 7402 North 56th Street, Building 500, Tampa, FL 33617

Office of Disability Determinations, 10300 Sunset Drive, Suite 190, Miami, FL 33173

Office of Disability Determinations, Oakland Office Building, Room 261, 2009 Apalachee Parkway, Tallahassee, FL 32301

Georgia

Disability Adjudication Section, Decatur Building, Suite 300, 200 Swanton Way, Decatur, GA 30089

Guam

Disability Determination Service, Department of Vocational Rehabilitation, 112 Harmond Plaza, Room B-201, Harmond Industrial Plaza, Agana, GU 96911

Hawaii

Disability Determination Branch, Kapiolanc Commercial Center, 1580 Makaloa Street, Suite 660, Honolulu, HI 96814

Idaho

Disability Determination Unit, P.O. Box 4188 (83704), 1505 McKinney, Boise, ID 83704

Illinois

best copy available

Bureau of Disability Determination Services, P.O. Box 1950 (ZIP Code 62794–9250), 100 North First Street, Springfield, IL 62708
Indiana
Disability Determination Division, P.O. Box 7069, 17 West Market Street, Indianapolis, IN 46207
Iowa
Disability Determination Services, 510 East 12th Street, Des Moines, IA 50319
Kansas
Disability Determination Services, Highland Village Shopping Center, 2049 SE. 29th Street, Topeka, KS 66605–2497
Kentucky (Decentralized)
Division of Disability Determinations, 275 East Main Street, 3rd Floor, P.O. Box 1000, Frankfort, KY 40602
Division of Disability Determinations, 2691 Regency Road, Lexington, KY 40503
Division of Disability Determinations, Civic Plaza P.O. Box 1061, Seventh and Jefferson Streets, Louisville, KY 40201
Louisiana (Decentralized)
Disability Determinations, 530 Lakeland Drive, Baton Rouge, LA 70802
Disability Determinations, P.O. Box 66498, Audubon Station, Baton Rouge, LA 70896
Disability Determinations, 2730 Wooddale Boulevard, Baton Rouge, LA 70805
Disability Determinations, P.O. Box 4446, Centenary Station, 2920 Knight Street, Shreveport, LA 71104
Disability Determinations, P.O. Box 19400, 2025 Canal Street, New Orleans, LA 70119
Maine
Division of Disability Determinations, Arsenal Street Extension, State House Extension No.116, Augusta, ME 04333
Maryland
Disability Determination Services, Towson, MD 21204
Disability Determination Services, Division of Vocational Rehabilitation, P.O. Box 17011, Baltimore, MD 21203
Massachusetts (Decentralized)
Disability Determination Services, 110 Chauncy Street, Boston, MA 02111
Disability Determination Services, 22 Front Street, P.O. Box 8009, Worcester, MA 01614
Michigan (Decentralized)
Disability Determination Services, P.O. Box 30011, 608 West Allegan Street, Lansing, MI 48909
Disability Determination Services, P.O. Box 1220, 1020 Hastings Road, Traverse City, MI 49685
Disability Determination Services, P.O. Box 345 (48226), Michigan Plaza Building, 1200 Sixth Street, 10th Floor, Detroit, MI 48224
Disability Determination Services, P.O. Box 4020 (49003), 300 South Burdick Kalamazoo Mall, Kalamazoo, MI 49003
Minnesota
Disability Determination Unit, Metro Square Building, Suite 460, Seventh and Robert Streets, P.O. Box 43709 (ZIP Code 55164), St. Paul, MN 55101
Mississippi
State Disability Determination Services, P.O. Box 1271 (39205), 5977 Highway 18, Jackson, MS 39209
Missouri (Decentralized)
Disability Determination Services, 2401 East McCarty, Jefferson City, MO 65101
Disability Determination Services, 2143 Independence Street, Cape Girardeau, MO 63701
Disability Determination Services, 9140 Ward Parkway, Kansas City, MO 64114
Disability Determination Services, 10042 Gravois Street, St. Louis, MO 63123
Disability Determination Services, 2530 Suite I, South Campbell Street, Springfield, MO 65807
Disability Determination Services, 2728A Plaza Drive, Jefferson City, MO 65101
Montana
Disability Determination Burea, P.O. Box 4189 (59604) 1330 Helena Avenue, Helena, MT 59601
Nebraska (Decentralized)
Disability Determination Services, State Office Building, 6th Floor, 301 Centennial Mall, South, Lincoln, NE 68509
Disability Determination Services, Downtown Education Center, 3rd Floor, 1313 Farnam on the Mall, Omaha, NE 68102
Nevada
Bureau of Disability Adjudication, 505 East King Street, State Capitol Complex, Room 403, Carson City, NV 89710
New Hampshire
Disability Determination Unit, P.O. Box 452, 105 Loudon Road, Building 4, Concord, NH 03331
New Jersey
Division of Disability Determinations, P.O. Box 649 (07101), 1100 Raymond Boulevard, Room 418, Newark, NJ 07102
Division of Disability Determinations, P.O. Box 431, 745 Market Street, Camden, NJ 08101
New Mexico
Disability Determination Unit, P.O. Box 4588 (87196), Sandia Plaza Center, 3301 Juan Tabo, NE., Albuquerque, NM 87111
New York (Decentralized)
Office of Disability Determination, P.O. Box 1993 (11201), 1 Commerce Plaza, 12th Floor, Albany, NY 12260
Office of Disability Determinations, 295 Main Street, P.O. Box 5030 Ellicott Station, Buffalo, NY 14205
Office of Disability Determinations, 110 William Street, New York, NY 10038
North Carolina
Disability Determination Section, P.O. Box 243, Raleigh, NC 27602
Disability Determination Section, 1110 Navajo Drive, Raleigh, NC 27609
North Dakota
Disability Determination Services, 600 South Second Street, Bismarck, ND 58501
Northern Mariana Islands
Disability Insurance—SSA, 238 O'Hara Street, Agana, GU 96910
Ohio (Decentralized)
Bureau of Disability Determinations, Rehabilitation Services Commission, P.O. Box 29700, 1944 West Morse, Columbus, OH 43229
Bureau of Disability Determinations, P.O. Box 42513, 9403 Kenwood Road, Cincinatti, OH 45242
Oklahoma
Disability Determination Unit, P.O. Box 25352, 7801 N. Robinson, Suite J–7, Oklahoma City, OK 73116
Oregon
Disability Determination Services, Vocational Rehabilitation Division, 2045 Silverton Road, NE., Salem, OR 97310
Pennsylvania (Decentralized)
Bureau of Disability Determinations, 7th and Forster Streets, Labor and Industry Building, Room 1306, Harrisburg, PA 17120
Bureau of Disability Determinations, 1314 North Seventh Street, Harrisburg, PA 17120
Bureau of Disability Determinations, P.O. Box R, 38 Courtright Avenue, Wilkes Barre, PA 18702
Bureau of Disability Determinations, 351 Harvey Avenue, P.O. Box 2500, Greensburg, PA 15605
Bureau of Disability Determinations, 351 Harvey Avenue, Greensburg, PA 15605
Puerto Rico
Disability Determination Program, Call Box 71301, GPO, San Juan, PR 00936
Rhode Island
Disability Determination Unit, 40 Fountain Street, Providence, RI 02930
South Carolina (Dencentralized)
Disability Determination Division, P.O. Box 4945, 3600 Forest Drive, Suite 200, Columbia, SC 29240
Disability Determination Division, P.O. Box 3090 (29602), 300 Building, 300 University Ridge, Greenville, SC 29601
Disability Determination Division, Landmark Office Building, 4th Floor, Columbia, SC 29204
Disability Determination Division, 209 Fairfield Court, 1064 Gardner Road, Hwy 7, Clarleston, SC 29407
South Carolina Commissioner for the Blind, 1430 Confederate Avenue, Columbia, SC 29201
South Dakota
Disability Determination Services, P.O. Box 1029, 405 South Third Avenue, Tyler Building, Sioux Falls, SD 57101
Tennessee
Disability Determination Section, 1808 West End Avenue, 9th Floor, P.O. Box 775 (37203), Nashville, TN 37202
Texas
Division of Disability Determinations, P.O. Box 2913 (78769), 118 East Riverside Drive, Austin, TX 78704
Utah

Disability Determination Services, P.O. Box 550, Salt Lake City, UT 84110
Disability Determination Services, 250 East 5th Street, South, Salt Lake City, UT 84111

Vermont
Disability Determination Agency, 103 South Main Street, Waterbury, VT 05676

Virgin Islands
Disability Representative VI, Social Security Administration, Federal Office Building, Room 113, 26 Veterans Drive, St. Thomas, VI 00801

Virginia (Dencentralized)
Disability Determination Services, 5205 Leesburg Pike, Suite 1000, Falls Church, VA 22041
Disability Determination Services, 111 Franklin Road, P.O. Box 250, Roanoke, VA 24011
Disability Determination Services, 4900 Fitzhugh Avenue, Richmond, VA 23230
Disability Determination Services, 2106 N. Hamilton Street, Richmond, VA 23230
Disability Determination Services, P.O. Box 5090, Suite 107, 5700 Thurston Avenue, Virginia Beach, VA 23455

Washington (Dencentralized)
Department of Social and Health Services, Office of Disability Insurance, Building 13, Airdustrial Park, P.O. Box 9303 M.S. LN—11, Olympia, WA 98504
Office of Disability Insurance, 4601 North Monroe Street, B-32-13, Spokane, WA 99205
Office of Disability Insurance, 1119 Southwest Seventh Street, Renton, WA 98055

West Virginia
Disability Determination Section, Second Floor, Mason Building, 1206 Quarrier Street, Charleston, WV 25301
Disability Determination Section, P.O. Box 908, 170 Thompson Drive, Bridgeport, WV 26330

Wisconsin
Bureau of Social Security Disability Insurance, Division of Community Services, P.O. Box 7623 (ZIP Code 53707), 722 Williamson Street, Madison, WI 53703

Wyoming
Disability Determination Services, Barrett Building, 4th Floor, North, 611 West 29th Street, Cheyenne, WY 82002

09-60-0047

System name:

Critical Case Processing Time, HHS/SSA/OOPP.

Security classification:

None.

System location:

Social Security Administration, Office of System Operation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Social Security Disability beneficiaries or claimants whose application for disability benefits is pending.

Categories of records in the system:

Social Security numbers of claimants and dates requests were received and processed.

Authority for maintenance of the system:

Section 221 of the Social Security Act.

Purpose(s):

Records in this system are used to prepare monthly processing time reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

2. To the Internal Revenue Service, Treasury Department, as necessary for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored in magnetic media (e.g., magnetic tapes).

Retrievability:

The records are retrieved by use of the Social Security number.

Safeguards:

Safeguards for the records have been established in accordance with the Department of Health and Human Services Automated Data Processing Manual, "Part 6, ADP System Security." Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are maintained until a determination decision is made, at which time the tape records are erased.

System manager(s) and address:

SSA Privacy Officer, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address shown above and furnishing his or her name, Social Security number, approximate date and place claim was filed, type of claim (Disability Black Lung, of Supplemental Security Income), and return address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are prepared from control sheets showing date of requests, date request was processed and type of request.

Systems exempted from certain provisions of the act:

None.

09-60-0050

System name:

Completed Determination Record—Continuing Disability Determinations, HHS/SSA/OOPP.

Security classification:

None.

System location:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Allowed disability claimants on which a continuing issue has occurred and a decision of continuance or cessation has been approved.

Categories of records in the system:

Name and Social Security number of the individual and other data such as date of birth, district office and state agency code, date disability began, type of claim, reasons for reopening, continuance or cessation code, date of termination (if applicable), date of completion, etc.

Authority for maintenance of the system:

Section 221 of the Social Security Act.

Purpose(s):

This system is used to record the result of continuing disability investigations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

2. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with the safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in magnetic media (e.g., magnetic tapes).

Retrievability:

The records are retrieved by use of the Social Security number.

Safeguards:

Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards, and photographs, etc. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are maintained indefinitely.

System manager(s) and address:

SSA Privacy Officer, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address shown above and furnishing his or her name, Social Security number, approximate date and place claim was filed, type of claim (Disability, Black Lung, or Supplemental Security Income), and return address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking.

An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

These records summarize information contained in the claims folder which was obtained from the individual or someone acting on the individual's behalf and from this individual's physician, or a physician performing a consultative examination or from hospitals and other treatment sources.

Systems exempted from certain provisions of the act:

None.

09-60-0052

System name:

Disposition of Vocational Rehabilitation Report to Social Security Administration, HHS/SSA/ODP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Disability beneficaries accepted for vocational rehabilitation services under the reimbursement provisions and now reported as closed (no longer receiving service).

Categories of records in the system:

Records in this system consist of the name and Social Security number of the disabled beneficiary, date of birth, and other information such as the closure status and date, medical improvement status, work status, date work began, and average weekly wage.

Authority for maintenance of the system:

Sections 222 and 1615 of the Social Security Act.

Purpose(s):

This system serves as a source for statistical and accounting data about beneficiaries involved in the vocational rehabilitation reimbursement program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored in magnetic media (e.g., magnetic tapes).

Retrievability:

The records are retrieved by use of the Social Security number.

Safeguards:

Safeguards for the records have been established in accordance with the Department of Health and Human Services Automated Data Processing Manual, "Part 6, ADP System Security." Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are maintained indefinitely.

System manager(s) and address:

Director, Office of Disability Programs, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedures:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address shown above and furnishing his or her name, Social Security number, approximate date and place claim was filed, type of claim (Disability, or Supplemental Security Income), and return address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The data is extracted from vocational rehabilitation reports submitted to the Social Security Administration by State offices of vocational rehabilitation.

Systems exempted from certain provisions of the act:

None.

09-60-0053

System name:

Reimbursement from Trust Fund for Vocational Rehabilitation Services, HHS/SSA/ODP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Disabled beneficiaries referred and undergoing consideration for vocational rehabilitation services.

Categories of records in the system:

Records in this system consist of the name and Social Security number of the beneficiary, information relating to the costs of vocational rehabilitation services to be reimbursed from Social Security trust or general funds providing a beneficiary status exists, vocational rehabilitations State and district office code, type of claim, amount of benefit (at time of referral), date of request for status.

Authority for maintenance of the system:

Sections 222 and 1615 of the Social Security Act.

Purpose(s):

This record serves as a control and monitor of vocational rehabilitation referred activity in the Disability Insurance program in order to validate the use of trust funds and general funds expended for services rendered.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tapes).

Retrievability:

Records are indexed and retrieved by use of the Social Security number.

Safeguards:

System security has been established for the records in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are destroyed upon notification of closure from the State agency or upon expiration of 5 years from date record was created, whichever occurs first.

System manager(s) and address:

Director, Office of Disability Programs, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address shown above and furnishing his or her name, Social Security number, approximate date and place claim was filed, type of claim (Disability, Black Lung, or Supplemental Security Income), and return address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The basic record is prepared as the result of a written or teletyped request for benefit status from the State agency. Additional information is secured from the Master Beneficiary Record (09-60-0090) and the Supplementary Security Income Record (09-60-0103) systems of records.

Systems exempted from certain provisions of the act:

None.

09-60-0056

System name:

Vocational Rehabilitation Savings Calculation, HHS/SSA/ODP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Disability beneficiaries reported by State vocational rehabilitation agencies as no longer receiving vocational rehabilitation service.

Categories of records in the system:

Records in this system consist of the name and Social Security number of the beneficiary and identifying information about the notice of disclosure, the date of termination or reduction in benefits, if any, amount of benefit, amount of savings and other miscellaneous data.

Authority for maintenance of the system:

Sections 222 and 1615 of the Social Security Act.

Purpose(s):

This record serves primarily as a source for furnishing statistical and benefit information on the vocational rehabilitation reimbursement program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are stored in magnetic media (e.g., magnetic tapes).

Retrievability:

Records are indexed and retrieved by use of the Social Security number.

Safeguards:

System security has been established for this system in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Tapes are maintained indefinitely.

System manager(s) and address:

Director, Office of Disability Programs, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address shown above and furnishing his or here name, Social Security number, approximate date and place claim was filed, type of claim (Disability Insurance or Supplemental Security Income), and return address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The information is extracted and compiled from the vocational rehabilitation closure report, and the Earnings Recording and Self-Employment Income System (09-60-0059), Master Beneficiary Record (09-60-0090), and Supplemental Security Income Record (09-60-0103) systems of records.

Systems exempted from certain provisions of the act:

None.

09-60-0057

System name:

Quality Evaluation Data Records, HHS/SSA/OA.

Security classification:

None.

System location:

Social Security Administration, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Each individual who has filed an application for Social Security Disability Insurance benefits and/or Supplementary Security Income disability payments.

Categories of records in the system:

Information in this system consists of the claimant's name and Social Security numbers; and demographic, diagnostic, and other types of data generated as a result of a review of the State actions on the claim.

Authority for maintenance of the system:

Section 221 of the Social Security Act.

Purpose(s):

This system is used for the purpose of assisting in the assessment of the quality of disability determinations made by State Disability Determination Services. Records are used to report monthly results of the review of the State disability determination progress.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form and in magnetic media (e.g., magnetic tape and disk).

Retrievability:

The records are indexed and retrieved by use of the Social Security number.

Safeguards:

Paper records are kept in secured physical areas. Safeguards for automated records have been established in accordance with the Department of Health and Human Services Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining automated records in an enclosure attended by security guards. Data is tramsmitted from Field Assessment Offices and headquarters to Computer Sciences Corporation (CSC) time sharing computer facilities, and return, over leased lines provided through CSC. Internal computer security is safeguarded by account numbers, access codes, passwords and edit checks. These assure that only authorized access to the computer system is permitted, that the particular data requested from the system can be released to the requester, and that control is maintained over the locations to which systems data may be sent. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

The records are maintained for a period of 48 months. Paper records are disposed of by shredding; tape and disc records are destroyed magnetically.

System manager(s) and address:

Director, Office of Disability Program Quality, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the system manager at the address shown above and furnishing name, Social Security number, approximate date and place claim was filed, type of claim (Disability or Supplemental Security Income), and address. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent of guardian who requests notification of or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent of guardian of its contents at the physician's or health professional's discretion. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are accessing. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are prepared from Form SSA 3094 and show decision, diagnosis and other information.

Systems exempted from certain provisions of the act:

None.

09-60-0058

System name:

Master Files of Social Security Number Holders, HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, MD 21235

Social Security Administration, Office of Central Operations, Office of Central Records Operations, Metro West Building, 300 N. Greene Street, Baltimore, MD 21201

Social Security Administration, Office of System Requirements, 6401 Security Boulevard, Baltimore, MD 21235

Records also may be maintained at contractor sites (contract the system manager at the address below to obtain contract addresses).

Categories of individuals covered by the system:

This system contains a record of each individual who has applied for and/or obtained a Social Security number (SSN).

Categories of records in the system:

This system contains all of the information received on original applications for SSN's (e.g., name, date and place of birth, both parents names, and race/ethnic data) and any changes in the information on the applications that are submitted by the SSN holder. Cross-references may be noted where multiple numbers have been issued to the same individual and an indication may be shown that a benefit claim has been made under a particular SSN(s).

Authority for maintenance of the system:

Sections 205(a) and 205(c)(2) of the Social Security Act.

Purpose(s):

Information in this system is used by the Social Security Administration (SSA) to assign SSN's. The information also is used for a number of administrative purposes such as:

- By SSA components for various Titles II, XVI and XVIII claims purposes including usage of the SSN itself as a case control number and a secondary beneficiary cross-reference control number for enforcement purposes and use of the SSN record data for verification of claimant identity factors and for other claims purposes related to establishing benefit entitlement;
- By SSA as a basic control for retained earnings information;
- By SSA as a basic control and data source to prevent issuance of multiple SSN's;
- As the means to identify incorrectly reported names or SSN's on earnings reports;
- For resolution of earnings discrepancy cases;
- For statistical studies;
- By the Department of Health and Human Services (HHS) Audit Agency for auditing benefit payments under Social Security programs;
- By the HHS Office of Child Support Enforcement for locating parents who owe child support;
- By the National Institute of Occupational Safety and Health for epidemiological research studies required by the Occupational Safety and Health Act of 1974;
- By the SSA Office of Refugee Resettlement for administering Cuban refugee assistance payments; and
- By the HHS Health Care Finance Administration for administering Title XVIII claims.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. Employers are notified of the SSN's of employees in order to complete their records for reporting wages to the SSA pursuant to the Federal Insurance Contributions Act and section 218 of the Social Security Act.

2. To State welfare agencies, upon written request, of the SSN's of Aid to Families with Dependent Children applicants or recipients.

3. To the Department of Justice (Federal Bureau of Investigation and United States attorneys) for investigating and prosecuting violations of the Social Security Act.

4. To the Department of Justice (Immigration and Naturalization Service) for the identification and location of aliens in the United States pursuant to requests received under section 290(c) of the Immigration and Nationality Act (8 U.S.C. 1360(c)).

5. To a contractor for the purpose of collating, evaluating, analyzing, aggregating or otherwise refining records when the SSA contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

6. To the Railroad Retirement Board for:

(a) Administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment; and

(b) Administering the Railroad Unemployment Insurance Act.

7. To the Department of Energy for its study of the long-term effects of low-level radiation exposure.

8. To the Department of the Treasury for:

(a) Tax administration as defined in 26 U.S.C. 6103 of the Internal Revenue Code; and

(b) Investigating the alleged theft, forgery, or unlawful negotiation of Social Security checks.

9. To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

10. To the Department of State for administering the Social Security Act in foreign countries through facilities and services of that agency.

11. To the American Institute on Taiwan for administering the Social Security Act on Taiwan through facilities and services of that agency.

12. To the Veterans Administration (VA), Philippines Regional Office, for administering the Social Security Act in the Philippines through facilities and services of that agency.

13. To the Department of Interior for administering the Social Security Act in the trust territory of the Pacific Islands through facilities and services of that agency.

14. To the Department of Labor for:

(a) Administering provisions of the Black Lung Benefits Act; and

(b) Conducting studies of the effectiveness of training programs to combat poverty.

15. To the VA for the following purposes:

(a) For the purpose of validating of SSN's of compensation recipients/pensioners in order to provide the release of accurate pension/compensation data by the VA to SSA for Social Security program purposes.

(b) Upon request, for purposes of determining eligibility for or amount of VA benefits, or verifying other information with respect thereto.

16. To Federal agencies which use the SSN as a numerical identifier in their recordkeeping systems, for the purpose of validating SSN's.

17. To the Department of Justice in the event of litigation where the defendant is:

(a) HHS, any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

18. State audit agencies for auditing State supplementation payments and Medicaid eligibility considerations.

19. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to section 233 of the Social Security Act may be disclosed to a foreign country which is a party to that agreement.

20. To Federal, State or local agencies (or agents on their behalf) for the purpose of validating SSN used in administering cash or noncash income maintenance programs or health maintenance programs (including programs under the Social Security Act).

21. To third party contacts in situations where the party to be contacted has, or is expected to have, information which will verify documents when SSA is unable to determine if such documents are authentic.

22. Upon request, information on the identity and location of aliens may be disclosed to the Department of Justice (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating and, where appropriate, taking legal action against suspected Nazi war criminals in the United States.

23. To the Selective Service System for the purpose of enforcing draft registration pursuant to the provisions of the Military Selective Service Act (50 U.S.C. App. 462, as amended by section 916 of Pub. L. 97-86).

24. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

25. Validated SSN information may be disclosed to organizations/agencies such as prison systems which are required by law to furnish SSA with SSN information.

26. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

27. Disclosure of Social Security numbers and dates of birth may be made to the Veterans Administration (VA) or third parties under contract to that agency for the purpose of conducting VA medical research and epidemiological studies.

28. Upon receipt of a request from a person or other entity who hires a job applicant, or recruits or refers for a fee, a job applicant for employment in the United States, SSA will disclose information necessary to validate the SSN of the job applicant in the conduct of a pilot SSN validation process under the provisions of sections 205 and 702 of the Social Security Act.

29. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

30. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are maintained in paper form (e.g., paper lists and punch cards); magnetic media (e.g., magnetic tape and disk with on-line access) and in microfilm and microfiche form.

Retrievability:

Records in this system are indexed by both SSN and name.

Safeguards:

Safeguards for automated records have been established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the magnetic tapes and disks within a secured enclosure attended by security guards. Anyone entering or leaving this enclosure must have a special badge issued only to authorized personnel.

For computerized records electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail. All microfilm, microfiche, and paper files are accessible only by authorized personnel who have a need for the records in the performance of their official duties.

Expansion and improvement of SSA's telecommunications systems has resulted in the acquisition of terminals equipped with physical key locks. The terminals also are fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminals users.

Retention and disposal:

All paper forms are retained for 5 years after they have been filmed or entered on tape and the accurracy has been verified. They then are destroyed by shredding. All tape, disks, microfilm and microfiche files are updated periodically. Out-of-date magnetic tapes and disks are erased. The out-of-date microfiche is disposed of by the application of heat.

System manager(s) and address:

Director, Office of Pre-Claims Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

Notification procedure:

An individual can determine if this system contains a record pertaining to him/her by providing his/her name, signature and SSN, or if the SSN is not known, name, signature, date and place of birth, mother's maiden neme, and father's mame, and evidence of identity to the address shown under system manager above. (Furnishing the SSN is not voluntary, but it makes searching for an individual's record easier and avoids delay.) (See Appendix K to this publication for documentation individuals may be required to furnish to establish their identity when requesting information pertaining to themselves from SSA.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is obtained from SSN applicants (or individuals acting on their behalf). The SSN itself is assigned to the individual as a result of internal processes of this system.

Systems exempted from certain provisions of the act:

None.

09-60-0059

System name:

Earnings Recording and Self-Employment Income System. HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of System, 6401 Security Boulevard, Baltimore, Maryland 21235

Social Security Administration, Office of Systems Requirements, 6401 Security Boulevard, Baltimore, Maryland 21235

Social Security Administration, Office of Central Operations, Office of Central Records Operations, Metro West Building, 300 North Greene Street, Baltimore, Maryland 21201

Records also may be located at contractor sites (contact the system manager at the address below for contractor addresses).

Categories of individuals covered by the system:

Any person who has been issued a Social Security number (SSN) and who may or may not have earnings under Social Security or self-employment income; or any person requesting, reporting, or changing and/or inquiring about earnings information; or any person having a vested interest in a private pension fund.

Categories of records in the system:

This system contains records of every SSN holder, his/her name, date of birth, sex, and race and a summary of his/her yearly earnings and quarters of coverage; special employment codes (i.e., self-employment, military, agriculture, and railroad); benefit status information; employer identification (i.e., employer identification numbers and pension plan numbers); minister waiver forms (i.e., forms filed by the clergy for the election or waiver of coverage under the Social Security Act); correspondence received from individuals pertaining to the above mentioned items; the replies to such correspondence; and pension plan information (i.e., nature, form, and amount of vested benefits).

Authority for maintenance of the system:

Sections 205(a) and 205(c)(2) of the Social Security Act, the Federal Records Act of 1950 (64 Stat. 583), and the Employee Retirement Income Security Act of 1974 (Pub. L. 93-406).

Purpose(s):

This system is used for the following purposes:

- As a primary working record file of all SSN holders;
- As a quarterly record detail file to provide full data in wage investigation cases;
- To provide information for determining amount of benefits;
- To record all incorrect or incomplete earnings items;
- To reinstate incorrectly or incompletely reported earnings items;
- To record the latest employer of a wage earner;
- For statistical studies;
- For identification of possible overpayments of benefits;
- For identification of individuals entitled to additional benefits;
- To provide information to employers/former employers for correcting or reconstructing records and for Social Security tax purposes;
- To provide workers and self-employed individuals with earnings statements or quarters of coverage statements;
- To provide information to the Department of Health and Human Services (HHS) Audit Agency for auditing benefit payments under Social Security programs;
- To provide information to the National Institute of Occupational Safety and Health for epidemiological research studies required by the Occupational Health and Safety Act of 1974;
- To assist Social Security Administration (SSA) in responding to general inquiries about Social Security including their earnings or adjustments to earnings, and in preparing responses to subsequent inquiries; and
- To store minister waivers, thus preventing an erroneous payment of Social Security benefits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To employers or former employers, including State Social Security Administrators, for correcting and reconstructing State employee earnings records and for Social Security purposes.

2. To the Department of the Treasury for:

(a) Investigating the alleged forgery, or unlawful negotiation of Social Security checks; and

(b) Tax administration as defined in 26 U.S.C. 6103 of the Internal Revenue Code.

3. To the Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

4. To the Department of Justice (DOJ) (Federal Bureau of Investigation and United States Attorneys) for investigating and prosecuting violations of the Social Security Act.

5. To a contractor for the purpose of collating, evaluating, analyzing, aggregating SSA or otherwise refining records when the SSA contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

6. To the Department of Energy for their study of low-level radiation exposure.

7. To a Congressional Office in response to an inquiry from the congressional office made at the request of the subject of a record.

8. To the Department of State for administering the Social Security Act in Foreign countries through services and facilities of that agency.

9. To the American Institute on Taiwan for administering the Social Security Act on Taiwan through services and facilities of that agency.

10. To the Veterans Administration, Philippines Regional Office, for administering the Social Security Act in the Philippines through services and facilities of that agency.

11. To the Department of the Interior for administering the Social Security Act in the Trust Territory of the Pacific Islands through services and facilities of that agency.

12. To State Audit agencies for auditing State supplementation payments and Medicaid eligibility considerations.

13. To the DOJ, a court or other tribunal, or another party before such tribunal when:

(a) The SSA, any component thereof; or

(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent dthe employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components,

is a party to litigation or has an interest is such litigation, and SSA determines that the use of such records by DOJ, the court, or other tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

14. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

15. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to section 233 of the Social Security Act may be disclosed to a foreign country which is a party to that agreement.

16. To Federal, State or local agencies (or agents on their behalf) for the purpose of validating SSNs used in administering cash or noncash income- maintenance programs or health-maintenance programs (including programs under the Social Security Act).

17. Information pertaining to wages and self-employment income may be disclosed in response to requests from State welfare agencies under sections 402(a) (29) and 411 of the Social Security Act for determining an individual's eligibility for aid or services under State plans for Aid to Families with Dependent Children and the amount of such aid or services.

18. Tax return information (e.g., information with respect to net earnings from self-employment, wages, payments of retirement income which have been disclosed to SSA and business and employment addresses) may be disclosed, upon request, to officers and employees of the Department of Agriculture for purposes of, and to the extent necessary in determining

(a) An individual's eligibility for benefits, or

(b) The amount of benefits under the food stamp program established under the Food Stamp Act of 1977.

19. Tax return information (e.g., information with respect to net earnings from self-employment, wages, payments of retirement income which have been disclosed to SSA and business and employment addresses) may be disclosed, upon written request, to officers and employees of a State food stamp agency for purposes of, and to the extent necessary in determining

(a) An individual's eligibility for benefits, or

(b) The amount of benefits under the food stamp program established under the Food Stamp Act of 1977.

20. Tax return information (e.g., information with respect to net earnings from self-employment, wages, payments of retirement income which have been disclosed to SSA and business and employment addresses) may be disclosed, upon written request, to appropri-

ate officers and employees of a State or local child support enforcement agency for purposes of, and to the extent necessary in,

(a) Establishing and collecting child support obligations from individuals who owe such obligations, and

(b) Locating those individuals

Under a progam established under title IV–D of the Social Security Act (42 U.S.C. 651ff).

21. The fact that a veteran is or is not eligible for Retirement Insurance benefits under the Social Security program may be disclosed to the Office of Personnel Management (OPM) for its use in determining that veteran's eligibility for a civil service retirement annuity and the amount of such annuity.

22. Employee and employer name and address information may be disclosed to the DOJ (Immigration and Naturalization Service) for the purpose of informing that agency of the identities and locations of aliens who appear to be illegally employed.

23. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this systems of records.

24. Information derived from this system may be disclosed to the OPM for the purpose of computing civil service annuity offsets of civil service annuitants with military service or the survivors of such individuals pursuant to provisions of section 307 of Public Law 97–253.

25. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

26. Disclosure of tax return information will be made to OPM, upon OPM's written request, for the purpose of administering the Civil Service and Federal Employees with Chapters 83 and 84 of Title 4, United States Code.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are maintained as paper forms, correspondence in manila folders on open shelving, paper lists, punchcards, microfilm, magnetic tapes, and discs with on-line access files.

Retrievability:

Records in this system are indexed by SSN, name, and employer identification number.

Safeguards:

Safeguards for automated records have been established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the magnetic tapes and discs within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges which are issued ony to authorized personnel.

For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal–oriented transaction matrix, and an audit trail. All microfilm and paper files are accessible only by authorized personnel who have a need for the information in the performance of their official duties.

Expansion and improvement of SSA's telecommunications systems has resulted in acquisition of terminals equipped with physical key locks. The terminals also are fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminals users.(See Appendix J in this publication for additional information relating to safeguards SSA employs to protect personal information).

Retention and disposal: All paper forms and cards are retained until they are filmed or are entered on tape and their accuracy is verified, then they are destroyed by shredding. All tapes, discs, and microfilm files are updated periodically. The out-of-date magnetic tapes and discs are erased. The out-of-date microfilm is shredded.

SSA retains correspondence 1 year when it concerns documents returned to an individual, denials of confidential information, release of confidential information to an authorized third party, and undeliverable material; for 4 years when it concerns information and evidence pertaining to coverage, wage, and self-employment determinations, or when the statute of limitations is involved; and permanently when it affects future claims development especially coverage, wage, and self-employment determinations. Correspondence is destroyed, when appropriate, by shredding.

System manager(s) and address:

Director, Office of Pre-Claims Requirements, Social Security Administrator, 6401 Security Boulevard, Baltimore, Maryland 21235

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by providing his/her name, signature, and SSN, or, if the SSN is not known, name, signature, date and place of birth, mother's maiden name, and father's name to the address shown under system manager and referring to this system. (Furnishing the SSN is voluntary, but it willmake searching for an individual's record easier and avoid delay.) (See Appendix K to this publication for documentation individuals may be required to furnish to establish their identity when requesting information pertaining to themselves from SSA.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

SSN applicants, employers, self-employed individuals; DOJ (Immigration and Naturalization Service); the Department of Treasury (Internal Revenue Service); an existing system of records maintained by SSA, the Master Beneficiary Record (09–60–0090); correspondence, replies to correspondence, and earnings modifications resulting from SSA internal processes.

Systems exempted from certain provisions of the act:

None.

09–60–0063

System name:

Resource Accounting and Project Management System, HHS/SSA/OS.

Security classification:

None.

System location:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

All employees of the Social Security Administration who are responsible for ADP-related workloads.

Categories of records in the system:

Personnel, including skills and availability utilization, and machine resource expenditures by work effort for ADP-related workloads. Information is captured by use of individual clerk number to identify employee time and by information contained in computer run card to identify machine time. Time is associated to work effort by a project/service request/task number structure. Data captured relating to work efforts includes: Description of work, planned, authorized and obligated resources by skill category, responsible organizational component and responsible manager, user(s) priority and start and target dates.

Authority for maintenance of the system:

Section 702 of the Social Security Act.

Purpose(s):

Information in this system is used to project and account for all Office of Systems personnel and machine resource expenditures as they relate to ADP-related workloads. Report packages and on-line capabilities are available for use by all levels of management within the SSA Office of Systems. Data included in the reports may be sorted in various ways to show information including personnel utilization, work effort in progress as well as budget and project status.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendent is:

(a) The Department of Health and Human Service (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determined that the claim, if successful is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

3. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

4. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tapes and discs).

Retrievability:

Personnel records are indexed based on individual clerk number. Work efforts are identified by project service request number.

Safeguards:

Safeguards are established in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." Information is distributed to the user and project managers only. The records are accessible only by use of assigned secure passwords. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administratioin employs to protect personal information.)

Retention and disposal:

Active records will remain on-line until complete. Records will be purged on an annual basis with complete records transferred to tape for 2 years. At the end of 2 years, tapes are erased and returned to stock.

System manager(s) and address:

Director, Division of Strategic Planning and Integration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if ths system contains a record pertaining to him or her by providing his or her name and clerk number to: Chief, Resource Accounting Branch, Division or Strategic Planning and Integration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporing justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is obtained from the individual or project managers.

Systems exempted from certain provisions of the act:

None.

09-60-0066

System name:

Claims Development Record, HHS/SSA/OFO.

Security classification:

None.

System location:

District and branch office (see Appendix F.1 for address information).

Categories of individuals covered by the system:

Beneficiaries, applicants and inquirers of information relating to the various Social Security programs and the Black Lung program.

Categories of records in the system:

The file contains the name, address, and Social Security number of the individuals. It also contains development notes concerning the requesting and receipt of documents required for a claim for benefits. Benefit amounts and date of entitlement may also be displayed.

Authority for maintenance of the system:

Section 205(a) of the Social Security Act.

Purpose(s):

Information in this system is used as an interviewing tool, record of clearance of claims and sometimes as a log of activity pertinent to continued entitlement to benefits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the office made on behalf of the subject of a record.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper from (8 x 10½ cards) filed in standard file cabinets.

Retrievability:

Records are retrieved by name and Social Security number.

Safeguards:

Access to records is restricted to authorized personnel who have a need for the records in the performance of their official duties. The buildings which house the records are secured after normal business hours. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Specific destruction dates are established depending on whether a claim is allowed or disallowed. Generally, the records are maintained for 6 months then destroyed.

System manager(s) and address:

Associate Commissioner, Office of Field Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by contacting the most convenient Social Security district or branch office (see Appendix F.1 for address and telephone information) and providing his/her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedure. Requesters also should reasonably specify the record contents they are seeking.

Contesting record procedures:

Same as notification procedures. Requesters also should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Applicants, Social Security beneficiaries, Supplemental Security Income recipients, inquiries and third parties.

Systems exempted from certain provisions of the act:

None.

09-60-0075

System name:

Congressional Bills Tracking System, HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Legislative and Regulatory Policy, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Members of Congress.

Categories of records in the system:

Listing of bills to amend the Social Security Act. Includes bill number, sponsor's name, state and party affiliation, date of introduction of bill, and a 3-digit subject code.

Authority for maintenance of the system:

5 U.S. Code 301.

Purpose(s):

This system is used for the purposes of tracking Social Security legislation as it progresses in the Congress, and keeping a historical record and accounting of Social Security legislation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer terminal (magnetic tape), and paper listings.

Retrievability:

Bill name, subject matter, and name of sponsor.

Safeguards:

Safeguards for the automated records have been established in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." The information is accessed on a limited need-to-know basis by staff of the Legislative Reference Office. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

Information in this system is retained for duration of each Congress. (A listing by subject matter is retained indefinitely.)

System manager(s) and address:

Legislative Reference Officer, Room 416, Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the address shown above. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is derived from the Congressional Record.

Systems exempted from certain provisions of the act:

None.

09-60-0077

System name:

Congressional Inquiry File, HHS/SSA/FO.

Security classification:

None.

System location:

Offices of the Regional Commissioners (See Appendix C.1 for addresses)
Assistant Regional Commissioners, Programs (See Appendix C.2 for addresses)
Assistant Regional Commissioners, Field Operations (See Appendix C.3 for addresses)
District and branch offices (See Appendix F.1 for addresses)

and

Teleservice centers (See Appendix F.3 for addresses)

Categories of individuals covered by the system:

This system contains a record of congressional representatives and the individuals about whom they inquire.

Categories of records in the system:

Correspondence to and from congressional representatives.

Authority for maintenance of the system:

Section 205(a) of the Social Security Act.

Purpose(s):

This system is used to control and respond to correspondence from congressional representatives.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. To the Department of Justice (DOJ) in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his/her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his/her individual capacity where DOJ has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to DOJ to enable that Department to present an effective defense provided such disclosure is compatible with the purpose for which the records were collected.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form in manila type folders.

Retrievability:

Records are indexed and retrieved alphabetically by Congressman's name or individual's name.

Safeguards:

These records usually are available to personnel who have a need for them in the performance of their official duties. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records generally are retained for 6 months to 2 years.

System manager(s) and address:

Associate Commissioner, Office of Field Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by contacting the most convenient Social Security district or branch office (see Appendix F.1 for address information). These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information in this system is obtained from Congressional representatives.

Systems exempted from certain provisions of the act:

None.

09-60-0078

System name:

Public Inquiry Correspondence File, HHS/SSA/OFO.

Security classification:

None.

System location:

Assistant Regional Commissioners, Programs (See Appendix C.2 for addresses)

Assistant Regional Commissioners, Field Operations (See Appendix C.3 for addresses)

District and branch offices (See Appendix F.1 for address information)

and

Teleservice centers (See Appendix F.3 for addresses)

Categories of individuals covered by the system:

The general public.

Categories of records in the system:

Inquiries, usually for benefit information.

Authority for maintenance of the system:

Section 205(a) of the Social Security Act.

Purpose(s):

Information is maintained in this file in case an inquirer requests information or files a formal application for benefits. Consequently the information can be used as a filing date for benefit purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

3. To the Department of Justice (DOJ) in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his/her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his/her individual capacity where DOJ has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to DOJ to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in paper from in folders in standard file cabinets.

Retrievability:

By name of inquirer or name of person about whom information is requested.

Safeguards:

Usually available only to personnel on a need to know basis. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are retained for 1 year and then disposed of by shredding.

System manager(s) and address:

Associate Commissioner, Office of Field Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system a record pertaining to him or her by contacting the most convenient district or branch office (see Appendix F.1 for address information). These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is furnished by the inquirer.

Systems exempted from certain provisions of the act:

None.

09-60-0089

System name:

Claims Folders System, HHS/SSA/OOPP.

Security classification:

None.

System location:

The claims folders are generally set up in district or branch offices when claims for benefits are filed (see Appendix F.1 for address information). They are retained there until all development has been completed, and then transferred to the appropriate reviewing office as set out below. Supplemental security income claims folders are held in district or branch offices pending establishment of a payment record, or until the appeal period, in a denied claim situation, has expired. The folders are then transferred to a folder-staging facility in Chicago prior to transfer to the Chicago Federal Archives Records Center.

Retirement and survivors insurance claims folders are maintained primarily in social security program service centers. However, if an individual to which the claim pertains resides outside the United States or any of its possessions, the folder is maintained in the Office of International Policy. See Appendix A for address information regarding the Program Service Centers and the Office of International Policy.

Disability insurance claims folders for individuals under age 62 are maintained primarily in the Office of Disability Operations, or if the individual resides outside the United States or any of its possessions, the Office of International Policy. Disability insurance claims folders for disabled individuals over age 62 are maintained in the Program Service Centers or the Office of International Policy (see Appendix A for address information).

Claims folders relating to Black Lung claims are maintained in the Office of Disability Operations (see Appendix B.1 for address information).

Supplemental security income claims folders are maintained in the Chicago Federal Archives Records Center.

In addition, claims folders are transferred to numerous other locations throughout the Social Security Administration and the General Service Administration and infrequently may be temporarily transferred to other Federal agencies (Department of Justice, or Office of the General Counsel, Department of Health and Human Services). The disability claims folders are also transferred to state agencies for disability and vocational rehabilitation determinations (see Appendix B.3 for address information).

Categories of individuals covered by the system:

Claimants for retirement, survivors, disability, health insurance, or black lung benefits or supplemental security income payments.

Categories of records in the system:

The claims folder is established when a claim for benefits is filed. It contains application for benefits, earnings record information established and maintained by the Social Security Administration, documents supporting factors of entitlement and continuing eligibility, payment documentation, and correspondence to and from claimants and/or representatives.

It also may contain data collected as a result of inquiries or complaints; and evalustion and measurement study of effectiveness of claims policies.

Separate files may be maintained of certain actions which are entered directly into the computer processes. These relate to reports of changes of address, work status, and other post-adjudicative reports.

Authority for maintenance of the system:

Sections 202-205, 223, 226, 228, 1611, 1631, 1818, 1836, and 1840 of the Social Security Act and Section 411 of the Federal Coal Mine and Health Safety Act.

Purpose(s):

The claims folder constitutes the basic record for payments and determinations under the Social Security Act and the Federal Coal Mine Health and Safety Act (Black Lung Act). Data are used to produce and maintain the Master Beneficiary Record (09-60-0090) which is the automated payment system for retirement, survivors, and disability benefits; the Supplemental Security Income Record (09-60-0103) system for the aged, blind, and disabled payments; the Black Lung Payments System (09-60-0045) for black lung claims; and the Health Insurance Billing and Collection Master Record system (09-70-0522) for hospital and supplementary medical (medicare) insurance benefits.

This paper file is controlled by the Social Security Administration Claims Control System (09-60-0091) while the claim is pending development for adjudication in the district or branch office, and by the Case Control System (09-60-0092) once the folder the folder has been transferred to the reviewing office (program service centers, Office of International Policy, or the Office of Disability Programs).

The claims folders are used throughout the Social Security Administration for the purposes of determining, organizing, and maintaining documents for making normal determinations as to eligibility for benefits, the amount of benefits, reviewing continuing eligibility, holding hearings or administrative review processes, and to ensure that proper adjustments are made based on events affecting entitlement. The folder may be referred to State Disability Determination Sections or Vocational Rehabilitation Agencies in disability cases. They may also be used for quality review, evaluation, and measurement studies, and other statistical and research purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To third party contacts in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his/her affairs or his/her eligibility for or entitlement to benefits under the social security program when:

(a) The individual is unable to provide information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist):

(i) He/she is incapable or of questionable mental capability;

(ii) He/she cannot read or write;

(iii) He/she cannot afford the cost of obtaining the information;

(iv) A language barrier exists; or

(v) The custodian of the information will not, as a matter of policy provide it to the individuals; or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following:

(i) His/her eligibility for benefits under the Social Security program;

(ii) The amount of his/her benefit payment; or

(iii) Any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement activities.

2. To third party contacts where necessary to establish or verify information provided by representative payees or payee applicants.

3. To a person (or persons) on the rolls when a claim is filed by an individual which is adverse to the person on the rolls; i.e.:

(i) An award of benefits to a new claimant precludes an award to a prior claimant; or

(ii) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the rolls; but only for information concerning the facts relevant to the interests of each party in a claim.

4. To employers or former employers for correcting or reconstructing earnings records and for social security tax purposes only.

5. To the Treasury Department for collecting Social Security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act, (including Social Security Number verification services) and for investigating alleged theft, forgery, or unlawful negotiation of Social Security checks.

6. To the United States Postal Service for investigating alleged forgery of theft of Social Security checks.

7. To the Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

8. To the Department of State for administering the Social Security Act in foreign countries through facilities and services of that agency.

9. To the American Institute on Taiwan for administering the Social Security Act on Taiwan through facilities and services of that organization.

10. To the Veterans Administration, Regional Office Philippines, for administering the Social Security Act in the Philippines through facilities and services of that agency.

11. To the Department of Interior for administering the Social Security Act in the Trust Territory of the Pacific Islands through facilities of that agency.

12. To the Railroad Retirement Board for administering provisions of the Social Security Act relating to railroad employment.

13. To State Social Security Administrators for administration of agreements pursuant to section 218 (State and local).

14. To State audit agencies for auditing State supplementation payments and Medicaid eligibility considerations, and expenditures of Federal funds by the State in support of the Disability Determination Section (DDS).

15. To private medical and vocational consultants for use in making preparation for, or evaluating the results of, consultative medical examinations or vocational assessments which they were engaged to perform by the Social Security Administration or a State agency acting in accord with section 221 or 1633.

16. To specified business and other community members and Federal, State, and local agencies for verification of eligibility for benefits under section 1631(e).

17. To institutions or facilities approved for treatment of drug addicts or alcoholics as a condition of the individual's eligibility for payment under section 1611(e) and as authorized by regulations issued by the Special Action Office for Drug Abuse Prevention.

18. To applicants, claimants, prospective applicants or claimants, other than the data subject, their authorized representatives or representative payees to the extent necessary to pursue Social Security claims and receive an account of benefit payments.

19. To a congressional office in response to an inquiry from the congressional office made at the request of that individual.

20. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its component; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

21. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

22. To Federal, State, or local agencies (or agents on their behalf) for administering cash or noncash income maintenance or health maintenance programs. Such disclosures include, but are not limited to, release of information to:

(a) The Railroad Retirement Board for administering provisions of the Railroad Retirement Act relating to railroad employment and for administering the Railroad Unemployment Insurance Act;

(b) The Veterans Administration for administering 38 U.S.C. 412, and upon request, information needed to determine eligibility for or amount of VA benefits or verifying other information with respect thereto;

(c) The Department of Labor for administering provisions of Title IV of the Federal Coal Mine Health and Safety Act;

(d) State welfare departments for administering sections 205(c)(b)(i)(II) and 402(a)(25) of the Social Security Act requiring information about assigned Social Security Act requiring information about assigned Social Security Numbers for Aid to Families with Dependent Children program purposes only;

(e) State agencies for making determinations of Medicaid eligibility; and

(f) State agencies for making determinations of food stamp eligibility under the food stamp program.

23. To State welfare departments pursuant to ageements with the Social Security Administration for administration of State supplementation payments; for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act; and for conducting independent quality assurance reviews of supplemental security income recipient records, provided that the agreement for Federal administration of the supplementation provides for such an independent review.

24. To State Vocational Rehabilitation agencies or State crippled childrens's service agencies (or other agencies providing services to disabled children) for consideration rehabilitation services per sections 222a and 1615 of the Social Security Act.

25. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to Section 233 of the Social Security Act way be disclosed to a foreign country that is a party to that agreement.

26. To the Internal Revenue Service, Department of the Treasury, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

27. To the Office of the President for responding to an individual pursuant to an inquiry received from that individual or from a third party on his or her behalf.

28. To third party contacts (including private collection agencies under contract with the Social Security Administration (SSA), for the purpose of their assisting SSA in recovering overpayments.

29. To the Department of Justice (Immigration and Naturalization Service), upon request, to identify and locate aliens in the United States pursuant to the provisions of section 290(c) of the Immigration and Nationality Act (8 U.S.C. 1360(c)).

30. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing infor-

mation under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

31. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

32. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Claims folders are maintained in file cabinets by service area as set out in location above.

Retrievability:

Claims folders are filed by Social Security Number.

Safeguards:

Claims folders are protected through Limited access to Social Security Administration records, limited employee access to need to know. All employees are instructed in Social Security Administration confidentiality rules as a part of their initial orientation training.

Retention and disposal:

The claims folder is initially maintained in the reviewing office. Later, both active and inactive folders are transferred to the Federal Archives and Records Center for storage and inactive (no one is entitled to benefits) folders are scheduled for destruction. The time for retention prior to destruction is 5-year retention—no record of surviving potential beneficiaries; 20-year retention—withdrawn claims, claims disallowed or lump-sum death payments only, and 55-year retention—potential future claimants indicated in the file.

When a subsequent claim is filed on the social security number, the claims file is recalled from the Records Center. Similarly, the claims files may be recalled from the Records Center at any time by the Social Security Administration as necessary in the administration of social security programs.

System manager(s) and address:

SSA Privacy Officer, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by contacting the most convenient Social Security office (see Appendix F.1 for address and telephone information).

When requesting notification, an individual should provide his or her name, social security number, the type of claim he or she filed (retirement, survivors, disability, health insurance, black lung special minimum payments, or supplemental security income; if more than one claim is filed, each should be identified), whether he or she is or has been receiving benefits, whether payments are being received under his or her own social security number, and if not, the name and social security number under which received, if benefits have not been received, the approximate date and place the claim was filed, and his or her address and/or telephone number.

An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. However, SSA will grant direct access to a subject individual if the responsible SSA official determines that direct access is not likely to have an adverse effect on him or her. If the responsible SSA official is unable to make a determination, or makes the determination that some harm may occur to an individual, the official will send the record to the designated representative and inform the subject individual in writing that the records have been sent.

A parent or guardian who requests notification of or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion.

These procedures are in accordance with HHS Regulations 45 CFR Part 5b.12

Same as notification procedures. Requesters should also reasonably specify the information being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record and specify the information to be contested. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

This information is obtained from the claimants, accumulated by the Social Security Administration from reports of employers or self-employed individuals, various local, State, and Federal agencies, claimant representatives and other sources to support factors of entitlement and continuing eligibilities.

Systems exempted from certain provisions of the act:

None.

09-60-0090

System name:

Master Beneficiary Record (MBR), HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, MD 21235.

Categories of individuals covered by the system:

All Social Security beneficiaries who are or were entitled to receive Retirement, Survivors, or Disability Insurance (RSDI) benefits, including individuals who have received a RSDI payment since November 1978 even if their payment is not part of an ongoing award of benefits; individuals (nonclaimants) whose former spouses apply for RSDI benefit on their earnings records; persons who are only enrolled in the Hospital and/or Supplementary Medical Insurance (SMI) programs; and claimants whose benefits have been denied or disallowed.

The system also contains short reference to records for persons entitled to Supplemental Security Income payments, Black Lung benefits or Railroad Retirement Board (RRB) benefits.

Categories of records in the system:

The MBR contains information about each claimant who has applied for RSDI benefits, or to be enrolled in the Hospital or SMI programs; a record of the amount of Federal tax withheld on benefits paid to nonresident aliens; and the aggregate amount of benefit payments, repayments and reductions with respect to an individual in a calendar year. A record is maintained under each individual's Social Security number (SSN). However, if the individual has filed on another person's SSN, only a short 'pointer' record is maintained. Personal and general data about the claim is maintained under the SSN of that claim. Data about the claimant can be assessed using the claimant's SSN or the SSN on which benefits have been awarded or claimed (claim account number (CAN)).

There are three types of data in each CAN:

Account data. This includes the primary insurance amount, insured status of the SSN holder (if no monthly benefits are payable), data relating to the computation (use of military service credits, railroad retirement credits, or the foreign country when the primary insurance amount is based on wage credits under a totalization agreement), and, if only survivor's benefits have been paid, identifying data about the SSN holder (full name, date of birth, date of death and verification of date of death).

Payment data. This includes the payee name and address, data about a financial institution (if benefits are sent directly to the institution for deposit), the monthly payment amount, the amount and date of a one-time payment of past due benefits, and, where appropriate, a scheduled future payment. Payment data can refer to one beneficiary or several beneficiaries in a combined payment.

Beneficiary data. This includes personal information (name, date of birth, sex, date of filing, relationship to the SSN holder, other SSN's, benefit amount and payment status), and, if applicable, information about a representative payee, data about disability entitlement, worker's compensation offset data, estimates and report of earnings, or student entitlement information.

Authority for maintenance of the system:

Sections 202a-205, 223, 226, 228, 1818, 1836, and 1840 of the Social Security Act.

Purpose(s):

Data in this system are used by a broad range of Social Security employees for responding to inquiries, generating followups on beneficiary reporting events, computer exception processing, statistical studies, conversion of benefits, and generating records for the Department of the Treasury to pay the correct benefit amount.

Data in this system also are available to the Department of Health and Human Services' (HHS') Inspector General for use in the performance of his/her duties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Indicated below:

1. To applicants or claimants, prospective applicants or claimants (other than the data subject), their authorized representatives or representative payees to the extent necessary to pursue Social Security claims and receive and account for benefits.

2. To third party contacts in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his/her affairs or his/her eligibility for, or entitlement to, benefits under the Social Security program when:

(a) The individual is unable to provide information being sought. An individual is considered to be unable or provide certain types of information when:

(1) He/she is incapable or of questionable mental capability;

(2) He/she cannot read or write;

(3) He/she cannot afford the cost of obtaining the information;

(4) A language barrier exists; or

(5) The custodian of the information will not, as a matter of policy, provide it to the individual.

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following:

(1) His/her eligibility for benefits under the Social Security program;

(2) The amount of his/her benefit payment; or

(3) Any case in which the evidence is being reviewed as a result of suspected fraud, concern for program integrity, quality appraisal, or evaluation and measurement activities.

3. To third party contacts where necessary to establish or verify information provided by representative payees or payee applicants.

4. To a person (or persons) on the rolls when a claim is filed by another individual which is adverse to the person on the rolls:

(a) An award of benefits to a new claimant precludes an award to a prior claimant; or

(b) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the roll;

but only for information concerning the facts relevant to the interests of each party in a claim.

5. To the Department of the Treasury for:

(a) Collecting Social Security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act (including SSN verification services);

(b) Investigating the alleged theft, forgery, or unlawful negotiation of Social Security checks;

(c) Determining the Federal tax liability on Social Security benefits pursuant to 26 U.S.C. 6050, as amended by Pub. L. 98-21. The information disclosed will consist of the following:

(1) The aggregate amount of Social Security benefits paid with respect to any individual during any calendar year;

(2) The aggregate amount of Social Security benefits repaid by such individual during such calendar year;

(3) The aggregate reductions under section 224 of the Social Security Act in benefits which would otherwise have been paid to such individual during the calendar year on account of amounts received under a workmen's compensation act; and

(4) The name and address of such individual; and

(d) Depositing the tax withheld on benefits paid to nonresident aliens in the Treasury (Social Security Trust Funds) pursuant to 26 U.S.C. 871, as amended by Pub. L. 98-21.

6. To the United States Postal Service for investigating the alleged theft or forgery of Social Security checks.

7. To the Department of Justice for:

(a) Investigating and prosecuting violations of the Social Security Act to which criminal penalties attach;

(b) Representing the Secretary of HHS: and

(c) Investigating issues of fraud by agency officers or employees, or violation of civil rights.

8. To the Department of State for administering the Social Security Act in foreign countries through services and facilities of that agency.

9. To the American Institute on Taiwan for administering the Social Security Act on Taiwan through services and facilities of that agency.

10. To the Veterans Administration (VA), Philippines Regional Office, for administering the Social Security Act in the Philippines through the services and facilities of that agency.

11. To the Department of the Interior for administering the Social Security Act in the Trust Territory of the Pacific Islands through services and facilities of that agency.

12. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to Section 233 of the Social Security Act may be disclosed to a foreign country which is a party to that agreement.

13. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or from a third party on his/her behalf.

14. To the Office of Education for determining eligibility of applicants for basic educational opportunity grants.

15. To the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to this system of records.

16. To the Department of the Treasury, Office of Tax Analysis, for studying the effects of income taxes and taxes on earnings.

17. To the Office of Personnel Management for the study of the relationship of civil service annuities to minimum Social Security benefits, and the effects on the trust fund.

18. To State Social Security Administrators for administering agreements pursuant to Section 218 of the Social Security Act.

19. To the Department of Energy for their study of the long-term effects of low-level radiation exposure.

20. To contractors under contract to the Social Security Administration (SSA) (or under contract to another agency with funds provided by SSA) for the performance of research and statistical activities directly relating to this system of records.

21. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

22. To the Department of Labor for conducting statistical studies of the relationship of private pensions and Social Security benefits to prior earnings.

23. To the Department of Justice in the event of litigation where the defendant is:

(a) HHS, any component of HHS, or any employee of HHS in his/her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his/her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

24. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations as required by sections 459 and 461 of the Social Security Act.

25. To Federal, State, or local agencies (or agents on their behalf) for administering income maintenance or health maintenance programs (including programs under the Social Security Act). Such disclosures include, but are not limited to, release of information to:

(a) RRB for administering provisions of the Railroad Retirement Act relating to railroad employment; for administering the Railroad Unemployment Insurance Act and for administering provisions of the Social Security Act relating to railroad employment;

(b) VA for administering 38 U.S.C. 412, and upon request, for determining eligibility for, or amount of, veterans benefits or verifying other information with respect thereto;

(c) State welfare departments for administering sections 205(c)(2)(B)(i)(II) and 401(a)(25) of the Social Security Act requiring information about assigned SSN's for Aid to Families with Dependent Children (AFDC) program purposes and for determining a recipient's eligibility under the AFDC program; and

(d) State agencies for administering the Medicaid program.

26. Upon request, information on the identity and location of aliens may be disclosed to the Department of Justice (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating and, where appropriate, taking legal action against suspected Nazi war criminals in the United States.

27. To third party contacts (including private collection agencies under contract with SSA) for the purpose of their assisting SSA is recovering overpayments.

28. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under the routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

29. Information may be disclosed to the Federal Reserve Bank of New York for the purpose of making direct deposit/electronic funds transfer of Social Security benefits to foreign-resident beneficiaries.

30. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tape and magnetic disk) and in microform and paper form.

Retrievability:

Records in this system are indexed and retrieved SSN.

Safeguards:

Safeguards for automated records have been established in accordance with the HHS Automated Data Processing (ADP) Manual, "Part 6, ADP System Security." All magnetic tapes and discs are within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges which are issued only to authorized personnel. All microform and paper files are accessible only by authorized personnel and are locked after working hours.

For computerized records, electronically transmitted between SSA's central office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail. (See Appendix J to this publication for additional information relating to safeguards SSA employs to protect personal information.)

Retention and disposal:

Primary data storage is on magnetic disc. A new version of the disk file is generated each month based on changes to the beneficiary's record (adjustment in benefit amount, termination, or new entitlements). The prior version is written to tape and retained for 90 days in SSA's main data processing facility and is then sent to a secured storage facility for indefinite retention.

Selected records also are retained on magnetic disc for on-line query purposes. The query files are updated monthly and retained indefinitely. Microform records are disposed of by shredding or the application of heat after periodic replacement of a complete file.

Paper records are usually destroyed after use, by shredding, except where needed for documentation of the claims folder, in which case they are retained therein indefinitely (see the notice for the Claims Folders System, 09-60-0089).

System manager(s) and address:

Director, Office of Claims and Payment Requirements, Office of System Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the most convenient Social Security officer and providing his/her name, Social Security claim number (SSN plus alphabetic symbols), address, and proper identification. (See Appendix F.1 for address and telephone information.) (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay.) (See Appendix K to this publication for documentation individuals may be required to furnish to establish their identity when requesting information pertaining to them from SSA.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is untimely, incomplete, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Data for the MBR come primarily from the Claims Folders System (09-60-0089) and/or is furnished by the beneficiary at the time of filing for benefits, via the application form and necessary proofs, and during the period of entitlement when notices of events such as changes of address, work, marriage, are given the SSA by the beneficiary; and from States regarding Health Insurance third party premium payment/buy-in cases.

Systems exempted from certain provisions of the act:

None.

09-60-0091

System name:

Social Security Administration Claims Control System. HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

This system contains a record for each individual who has filed a claim for Retirement, Survivors and Disability Insurance benefits and/or Health Insurance benefits on a particular Social Security number. Only one record is established for each Social Security number even though more than one claim may be filed simultaneously (e.g., claims for the wage earner, his wife, and children on one Social Security number).

Categories of records in the system:

Data in this system consist of the wage earner's name and Social Security number; the date the application was filed (for a few cases it is not included because it is not known when the record is established); the type of action (i.e., Retirement, Survivors, Disability, and/or Health Insurance Benefits); the potential month of entitlement (for monthly benefits this will be the first month for which benefits may be paid); the code for the district office that processed the application; the district office that released the claim to the State agency or processing center; the present location of the claim; and the date the claim was released by one office and received by another.

Authority for maintenance of the system:

Section 205q of the Social Security Act. (This provision necessitates a systems control of claims to ensure payment within prescribed time pars.)

Purpose(s):

This record system is used to control claims from the point they originate in a district/branch office until they are finally processed to completion. The record enables the Social Security Administration to identify those claims for which inordinate delays occur. Once identified, expeditious processing is initiated. Additionally, the data present in the system is useful in the reconstruction of a claim if the application were to be lost.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the congressional office made at the request of that individual.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and disk for online and offline retrieval.

Retrievability:

Records are indexed by Social Security number.

Safeguards:

Safeguards have been established in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." Magnetic tape and disk records protected through standard security measures used for all SSA's computer records—limited access to Social Security Administration offices—limited employee access to computer facilities based on specific authorization.

For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an aduit trail. (See Appendix J to this publication for information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records on the magnetic tapes are purged when the decision of award or disallowance is made on the Social Security number or at 1 year from the date the record is established, whichever occurs first. The old versions of tapes are erased and returned to stock. The disk files are continuously updated and retained indefinitely.

System manager(s) and address:

Director, Office of User Requirements and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the most convenient Social Security office (see Appendix F for address information) and providing his/her Social Security claim number (Social Security number plus alphabetic symbols), name, address and proper identification. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. The data in this system are extremely limited since the system is a mechanism used by SSA to control and expedite the processing of claims. However, requesters who wish to reference this system, should provide their name, social security number, approximate date and place claim was filed, type of claim (retirement, survivors, disability, or health insurance), and return address or phone number. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. It is maintained that little of the data in this system is contestible; however, should an individual wish to contest it upon review, he or she may do so by contacting staff at the office specified under notification procedures above. If he or she decides to contest the data, he or she should reasonably identify the record, specify the information being contested and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The data are derived from the information furnished by the claimant on his application and by control data that is received as the claim is sent from the district/branch office to other Social Security offices.

Systems exempted from certain provisions of the act:

None.

09-60-0092

System name:

Automated Control System for Case Folders, HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203
Social Security Administration, Office of Disability Operations, Baltimore, Maryland 21241 and
Social Security Administration, Program Service Centers. (see Appendix A for address information).

Categories of individuals covered by the system:

This system contains a record of each individual who has filed a claim for Title II benefits (Retirement, Survivors and Disability Insurance); Title XVI payments (Supplemental Security Income); and Title XVIII benefits (Health Insurance benefits) whose claims have been processed through to a decision of award, disallowance, withdrawal, or termination.

Categories of records in the system:

Data in this system consist of a control record by social security number containing data relative to the location of the claim serviced by one of the offices maintaining jurisdictional responsibility; and whether the claims folder is maintained in that office, temporarily or permanently transferred to an other office within the Social Security Administration, a State disability, or vocational rehabilitation agency, or for storage in a Federal Records Center.

Authority for maintenance of the system:

The payment provisions of the Social Security Act and Federal Coal Mine Health and Safety Act, Sections 202, 223, 226, 228, 1611, 1631, 1818, and 1836 of the Social Security Act and 411 of the Federal Coal Mine Health and Safety Act. The information for this system is derived from the claims filing process and duplicates, in fact, that set out in Claim Folder System notice, 09-60-0089.

Purpose(s):

This system is used by Social Security offices to identify the location of claims as well as enabling them to associate and process incoming material in a timely fashion. The identification and exact location feature assists SSA in meeting the standards of service to the public in processing and deciding claims for benefits. Data are also used to identify where operating weaknesses are to facilitate corrective action by management.

Management data also is derived from the control records to provide statistical data relative to workloads, staffing, and manpower usage.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below.

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic disk storage files and magnetic tape files.

Retrievability:

Records are retrieved by Social Security number.

Safeguards:

Disk and tape files protected through standard security measures used for all of Social Security Administration's computer records—limited access to Social Security offices, and limited employee access to computer facilities based on specific authorizations. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The control records are maintained indefinitely. When disk files are rewritten, the old disks are erased and returned to stock.

System manager(s) and address:

Director, Office of User Requirements and Validations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by providing name and Social Security number and following the instructions below. Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay:

If the records relate to a Retirement of Survivors claims, the individual should contact the appropriate Program Service Center (see Appendix A for Social Security number and address information).

If the individual named in the record resides outside the United States, or any of its possessions, or if the requested information relates to a foreign claim, the individual should write to the Division of International Operations (see Appendix A for address information).

Requests for other information should be forwarded to the Office of User Requirements and Validation at the address shown above under system manager.

These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. The data in this file is extremely limited since the system is a mechanism used by SSA to locate claims folders and claims in process. However, if an individual would like access to records in this system, he or she should provide his or her name, Social Security number, and related address to the appropriate address specified under notification procedures above. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. It is maintained that little of the data here is contestible, however, should an individual wish to contest it upon review, he or she may do so by writing to the appropriate address specified under notification procedures and reasonably identify the record, specity the information being contesting and state the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

The control records are developed from recordings of cards containing Social Security numbers and coded location identifiers. Also, magnetic tape files prepared in the Social Security Central Office in Baltimore containing Social Security numbers and location identifications are provided to the jurisdictional offices to reflect the location of claims wherever located in Social Security Administration offices.

Systems exempted from certain provisions of the act:

None.

09-60-0094

System name:

Recovery Accounting for Overpayments, HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Program Service Centers (see Appendix A for address information)
Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203

and

Social Security Administration, Office of Disability Operations, Baltimore, Maryland 21241

Lists of overpaid individuals, which are produced by this computer system, are maintained at each district or branch office (see Appendix F for address information).

Categories of individuals covered by the system:

Social Security beneficiaries who received an overpayment of benefits; persons holding conserved (accumulated) funds received on behalf of a Social Security beneficiary; and persons who received Social Security payments on behalf of a beneficiary and were found to have misused those payments.

Categories of records in the system:

Identifying characteristics of each overpayment or instance of misused or conserved funds; e.g., name and address of the individual(s) involved, recovery efforts made and the date of each action, and planned future actions.

Authority for maintenance of the system:

Section 204(a) of the Social Security Act (42 United States Code 404(a)).

Purpose(s):

The users of this system are employees of district and branch offices, as well as selected personnel of Social Security Program Service Centers, the Division of International Operations, and the Office of Disability Operations. The data are used to maintain control of overpayments and misused or conserved funds from the time of discovery to the final resolution and for the proper adjustments of payment and refund amounts. Data adjustment produce accounting and statistical reports at specified intervals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or a third party on his/her behalf.

3. To third party contacts (including private collection agencies under contract with the Social Security Administration (SSA)) for the purpose of their assisting SSA in recovering overpayments.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

6. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in magnetic media (e.g., magnetic tape and magnetic disk), microfiche and paper form.

Retrievability:

Records are retrieved by Social Security number.

Safeguards:

Magnetic tape, magnetic disk, microfiche and paper records are protected through standard security measures used for all of the Social Security Administration's records—limited access to Social Security Administration offices—limited access to files to employees who have a need for the records in the performance of their official duties. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Magnetic tape files are updated daily and retained for 20 days, after which they are erased and returned to stock. The magnetic tape file produced in the last operation of the month is retained in security storage for a period of 30 days, after which the tapes are erased and returned to stock. The microfiche records are updated monthly, retained for 3 years after the month they are produced, and then destroyed by application of heat. A complete update of the microfiche is produced annually. Paper listings are destroyed when the overpayment issue is resolved or when the updated listing is received. The disk files are continuously updated and retained indefinitely.

System manager(s) and address:

Director, Office of User Requirements and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the most convenient Social Security district/branch office (see Appendix F for address information) or the appropriate Program Service Center (see Appendix A for address information).

When requesting notification, the individual should provide his or her name, Social Security number, address, other information which will assist in locating the requested materials (e.g., data about a prior or current overpayment), and reference this system of records. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents they are accessing. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The information for the computer files is received directly from beneficiaries, from district and branch offices, and as the result of earnings enforcement operations. The paper listings are updated as a result of the computer operations.

Systems exempted from certain provisions of the act:

None.

09-60-0095

System name:

Health Insurance Overpayment Ledger Cards, HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Program Service Centers (see Appendix A for address information)
Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203
and

Social Security Administration, Office of User Requirements and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

All Social Security Health and Supplemental Medical Insurance enrollees who received incorrect Medicare payments or services, who are determined liable, and against whom it is not possible to adjust subsequent Part A (Hospital) or Part B (Supplementary Medical) benefits.

Categories of records in the system:

A clerical record of each overpaid Medicare benefit; name and address of the individual(s) involved; recovery efforts made and the date of each action and planned future actions.

Authority for maintenance of the system:

Sections 1814, 1833 and 1870 of the Social Security Act.

Purpose(s):

The users of this system are selected employees of Social Security Program Service Centers, the Division of International Operations, and the Office of Disability Operations. The information recorded by the Program Service Centers is used to maintain control of Medicare overpayments referred to the Program Service Center from the Department of Health and Human Services, Health Care Financing Administration for recovery action. In these cases, the Health Care Financing Administration is unable to recoup the overpayment by adjusting subsequent Medicare benefits. The information on the ledger cards also is used to produce periodic accounting, management, and statistical reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from the congressional office made at the request of that individual.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Card stock in metal cabinets.

Retrievability:

The records in this system are retrieved by Social Security number.

Safeguards:

Records protected through standard security means for all of the Social Security Administration's clerical records (e.g., cabinets are locked after hours, limited access to buildings and limited access by authorized employees who have a need for the records in the performance of their official duties). (See Appendix J to this publication for additional information relating to safeguards, the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records are retained in the Program Service Center for a period of one year after collection efforts terminated and then transferred to the Federal Records Center where they are retained for 3 years, then destroyed shredding.

System manager(s) and address:

Director, Office of User Requirements and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing name and Social Security number and following the procedures below. Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay:

If the requested records relate to a Retirement or Survivors Insurance claims, the individual should contact the appropriate Social Security Program Service Center (based on Social security number) (see Appendix A for address and Social Security number information).

If the individual named in the record resides outside the United States or its possessions, contact should be made to the Division of International Operations (see Appendix A for address information).

If the requested records relate to a Disability Insurance claim, the individual should write to the Office of Disability Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

When requesting notification, an individual should provide his or her name, Social Security number, and reference to this system. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The information is received indirectly from the providers of Medicare services through the Health Care Financing Administration and directly from the Health Care Financing Administration as a result of their audit procedures.

Systems exempted from certain provisions of the act:

None.

09-60-0097

System name:

Program Integrity Case Files, HHS/SSA/OA.

Security classification:

None.

System location:

Social Security Administration, Office of Assessment, 6401
Security Boulevard, Baltimore, Maryland 21235
Field Integrity Staffs located in Field Assessment Office (see
Appendix L.1 for address information) and
Social Security Administration, Office of System Operations,
6401 Security Boulevard, Baltimore, Maryland 21235.

Records constituting an extension of the file may be located elsewhere in the Social Security Administration (e.g., district, branch and/or regional offices). Records also may be located at Federal Records Centers (contact the system at the address below to obtain the address for these records).

Categories of individuals covered by the system:

Persons suspected of violating Federal statutes affecting the administration of programs under the responsibility of SSA, including those against whom civil recovery action is being considered or pursued.

Categories of records in the system:

Information maintained in each record includes the identity of the suspect, the nature of the alleged offense, documentation of the investigation into the alleged offense, and the disposition of the case by SSA or the United States Attorney.

Authority for maintenance of the system:

Sections 205(a), 206, 208, 1102, 1106, 1107, 1631(d) (1) and (2) and 1632, of the Social Security Act; and section 413 of the Federal Coal Mine Health and Safety Act.

Purpose(s):

The information in this system pertains to suspected violations of Federal statutes. Cases may move through several levels of SSA at district/branch, regional and/or central office locations during the course of documenting a suspected fraudulent situation.

Information in this system is used by SSA staff to determine if a violation of the penal provisions of the Social Security Act or related provisions of the United States Code has been committed. If so, such material is used as the basis for referral of the case to the Department of Justice for consideration of prosecution. The material also is used to determine the direction of investigation of potential fraud situations.

Additionally, the information is used: (1) To monitor the progress of development of individual suspected fraud cases to insure timely resolution; and (2) for statistical analysis purposes to identify (a) types of cases which occur with such frequency as to suggest the need for revision of policies and procedures relative to establishing eligibility for payments; and (b) trends and averages with respect to the processing of such cases and their disposition under the Federal judicial system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To officers of employees of State governments as well as the CHAMPUS program for use in conducting investigations of possible fraud or abuse against the Title XIX or CHAMPUS program.
2. To States Attorneys in connection with State programs involving the Social Security Administration.
3. To the Department of the Treasury to investigate cases involving fraudulent tax returns or forgery of Social Security checks.
4. To the United States Postal Service for investigating alleged theft of Social Security checks.
5. To State and local police authorities for the purpose of investigating the loss, theft, and/or forgery of Medicare checks.
6. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.
7. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee; HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

8. To third party contacts for the purpose of establishing or negating a violation of the Social Security Act or related provisions of the United States Criminal Code.
9. To the Internal Revenue Service for the purpose of auditing the Social Security Administration's compliance with safeguards provisions of the Internal Revenue Code of 1945, as amended.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form and in magnetic media (e.g., magnetic tape and disc).

Retrievability:

Records are indexed and retrieved by Social Security number or by name of the subject of the investigation.

Safeguards:

Manual records are maintained in locked filing cabinets and are accessed only by employees with a job-related need for the information. System security for automated records is maintained in accordance with the Department of Health and Human Services' Automated Data Processing Manual, "Part 6, ADP System Security." This includes maintaining the records in secured areas which are patrolled by armed guards and permitting only authorized employees to these areas in the performance of their official duties. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Paper records may be retained 5 years after final disposition of the case. At the end of the retention period, the records are destroyed by shredding. Records may also be transferred to a Federal Records Center after they have been closed for 2 years. Data maintained in magnetic media is retained an indefinite period of time. Once determined no longer needed, these records are disposed of in accordance with established SSA procedures for disposal of records; e.g., erasure of tapes.

System manager(s) and address:

Director, Division of Program Integrity, Office of Security and Program Integrity, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the system manager at the above address and providing name, Social Security number, any Social Security number on which he/she has filed for, or received benefits, the type of such claim, and current claim status. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations, 45 CFR Part 5b.

Record access procedures:

Per 5 United States Code 522a(k)(2), the records in this system are exempt from access by the individual named in the records. However, the individual may gain access to information which is a matter of public record or documents which he/she has furnished by writing to the system manager at the above address. When requesting access to a medical record, the individual shall, at the time of the request, designate in writing a responsible representative who will be willing to review the record and inform the subject of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to a minor's medical record shall at the time of the request designate a physician or other health professional (other than a family member) who will be willing to review the record an inform the the parent or guardian of its contents at the physician's or health professional's discretion.

Contesting record procedures:

Same as above. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations, 45 CFR Part 5b.

Record source categories:

The information contained in this record system is the result of criminal investigation and may be derived from such sources as the suspect, witnesses, or Social Security Administration employees with a knowledge of the case.

Systems exempted from certain provisions of the act:

Exemption of this system to the access provisions is claimed under section k(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for program (law) enforcement in anticipation of a criminal proceeding. (See page 47413 of Federal Register of October 8, 1975, Vol. 40, No. 196, Part IV.)

09-60-0102

System name:

Fee Ledger System for Representatives, HHS/SSA/OIP.

Security classification:

None.

System location:

Records pertaining to representatives in Retirement, Survivors, Disability, Health Insurance, Supplemental Security Income and Black Lung benefits claims are maintained as indicated below:

Claims where a fee petition was processed through November 1974 involving Retirement, Survivors and Disability Insurance and Supplemental Security Income for the aged are located at: Social Security Administration, Office of Insurance Programs, 6401 Security Boulevard, Baltimore, Maryland 21235.

Claims involving Disability Insurance benefits, Black Lung and Supplemental Security Income for the blind and disabled are located at: Social Security Administration, Office of Disability Operations, 1500 Woodlawn Drive, Baltimore, Maryland 21241.

Claims that involve a hearing for Disability, Retirement, and Survivors benefits, Health Insurance, Black Lung, or Supplemental Security Income are located at: Social Security Administration, Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

Categories of individuals covered by the system:

Attorneys and non-attorney representatives of claimants before the Social Security Administration.

Categories of records in the system:

Name and address of representative, firm affiliation, if any, claimant's Social Security number, fee requested by representative, amount of fee approved by the Social Security Administration, amount withheld from claimant's past-due benefits, date the fee was approved, type of service rendered; and information pertaining to reviewing and approving offices.

Authority for maintenance of the system:

Section 206 and 1631(d) of the Social Security Act, and section 413(b) of the Federal Coal Mine Health and Safety Act of 1969.

Purpose(s):

This system provides a statistical base for projections of workloads, trends, cost analyses of legislative proposals, and similar activities. Such information is supplied upon request to government agencies, the Congress, and the public.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form (e.g., ledger cards and carbon copies).

Retrievability:

Records are indexed by a combination of name and Social Security number.

Safeguards:

The records are maintained in locked filing cabinets. Only those SSA employees who have a need for the records in the performance of their official duties are permitted access to the records. All employees are issued photographic passes and must display the passes upon entering buildings which house the records. Additionally, entrances and exits to the buildings are manned by armed security guards. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Ledger records are retained for a period of 5 years from the date of the latest entry. If no entries are recorded within this period, the record is destroyed. When the ledger is destroyed, the name, address of the representative, and at least one Social Security number of an involved claim, is recorded and indexed for indefinite retention. Copies of the representatives petition are retained for 1 to 2 years. The fee ledgers are maintained indefinitely, as are the records in the Social Security Administration Offices of Disability Operations (through November 1978), Assistance Programs and Hearings and Appeals.

System manager(s) and address:

See location above for appropriate manager to contact.

Director, Office of Insurance Programs, 6401 Security
Boulevard, Baltimore, Maryland 21235
Director, Office of Disability Operations, 6401 Security
Boulevard, Baltimore, Maryland 21235 and
Director, Office of Hearings and Appeals, 801 North Randolph
Street, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the appropriate system manager (see location above) at one of the addresses shown above and providing his/her name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) When the appropriate system manager cannot be idenfified, the individual may contact the Director, Office of Insurance Programs at the address shown under system manager above.

All requests for information should include the representative's name, address, type of claim, date the fee was approved, and the Social Security number under which the claim was filed. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is extracted from forms completed by the representative and the Social Security Administration.

Systems exempted from certain provisions of the act:

None.

09–60–0103

System name:

Supplemental Security Income Record, HHS/SSA/OSR.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235.

Regional, district and branch offices (see Appendices C and F.1 for address information).

Categories of individuals covered by the system:

This file contains a record for each individual who has applied for Supplemental Security Income (SSI) payments including individuals who have requested an advance payment; SSI recipients who have been overpaid and each essential person associated with an SSI recipient.

Categories of records in the system:

This file contains data regarding SSI eligibility; citizenship; residence; Medicaid eligibility; eligibility for other benefits; alcoholism or drug addiction data, if applicable (disclosure of this information may be restricted by 21 U.S.C. 1175 and 42 U.S.C.); income data; resources; payment amounts, including overpayments amounts and date and amount of advance payments; living arrangements; case folder location data; appellate decisions, if applicable; Social Security numbers used to identify a particular individual; and a history of changes to any of the persons who have applied for SSI payments. For eligible individuals, the file contains basic identifying information, income and resources (if any) and, in conversion cases, the State welfare number.

Authority for maintenance of the system:

Sections 1602, 1611, 1612, 1613, 1614, 1615, 1616, 1631, 1633, and 1634 of Title XVI of the Social Security Act.

Purpose(s):

Supplemental Security Income records begin in the Social Security district office where an individual files an application for Supplemental Security Income payments. This application contains data which may be used to prove the identity of the applicant to determine his or her eligibility for Supplemental Security Income payments and, in cases where eligibility is determined, to compute the amount of the payment. Information from the application, in addition to data used internally to control and process Supplemental Security Income cases, is used to create the Supplemental Security Income Record (SSR). The SSR also is used as a means of providing a historical record of all activity on a particular individual's record.

In addition, statistical data is derived from the SSR for actuarial and management information purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To the Treasury Department to prepare Supplemental Security Income and Energy Assistance checks.

2. To the States to establish the minimum income level for computation of State supplement.

3. To the following Federal and State agencies to prepare information for verification of benefit eligibility under section 1631(e):

(a) Bureau of Indian Affairs.
(b) Civil Service Commission.
(c) Department of Agriculture.
(d) Department of Labor.
(e) Immigration and Naturalization Service.
(f) Internal Revenue Service.
(g) Railroad Retirement Board.
(h) State Pension Funds.
(i) State Welfare Offices.
(j) State Workmen's Compensation.
(k) Department of Defense.
(l) United States Coast Guard.
(m) Veterans Administration.

4. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

5. To identify Title XVI eligibles under the age of 16 to State crippled children's agencies (or other agencies providing services to disabled children) for the consideration of rehabilitation services per section 1615 of the Social Security Act.

6. To contractors under contract to the Social Security Administration or under contract to another agency with funds provided by SSA for the performance of research and statistical activities directly relating to this system of records.

7. To State audit agencies for auditing State supplementation payments and Medicaid eligibility consideration.

8. To effect and report the fact of Medicaid eligibility of Title XVI recipients in the jurisdiction of those States which have elected Federal determinations of Medicaid eligibility of Title XVI eligibles and to assist the States in administering the Medicaid program.

9. To identify Title XVI eligibles in the jurisdiction of those States which have not elected federal determinations of Medicaid eligibility in order to assist those States in establishing and maintaining Medicaid rolls and in administering the Medicaid program.

10. To enable States which have elected Federal administration of their supplementation programs to monitor changes in applicant/recipient income, special needs, and circumstances.

11. To enable States which have elected to administer their own supplementation programs to identify SSI eligibles in order to determine the amount of their monthly supplemental payments.

12. To enable the States to assist in the effective and efficient administration of the supplemental security income program.

13. To enable those States which have an agreement with the Secretary, to carry out their functions with respect to Interim Assistance Reimbursement pursuant to Section 1631(g) of the Social Security Act.

14. To enable States to locate potentially eligible individuals and to make eligibility determinations for extensions of social services under the provisions of Title XX.

15. To assist the States in determining initial and continuing eligibility in their income maintenance programs and for investigating and prosecuting of conduct subject to criminal sanctions under these programs.

16. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components, or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

17. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or a third party on his/her behalf.

18. To the United States Postal Service for investigating the alleged theft, forgery or unlawful negotiation of Supplemental Security Income checks.

19. To the Department of the Treasury for investigating the alleged theft, forgery or unlawful negotiation of supplemental security income checks.

20. To the Department of Education for determining the eligibility of applicants for Basic Educational Opportunity Grants.

21. To Federal, State or local agencies (or agents on their behalf) for administering cash or noncash income maintenance or health maintenance programs (including programs under the Social Security Act). Such disclosures include, but are not limited to, release of information to:

(a) The Veterans Administration upon request for determining eligibility for or amount of VA benefits or verifying other information with respect thereto;

(b) The Railroad Retirement Board for administering the Railroad Unemployment Insurance Act;

(c) State agencies to determine eligibility for Medicaid;

(d) State agencies to locate potentially eligible individuals and to make determinations of eligibility for the food stamp program; and

(e) State agencies to administer energy assistance to low income groups under programs for which the States are responsible.

22. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

23. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or from a third party on his or her behalf.

24. Upon request, information on the identity and location of aliens may be disclosed to the Department of Justice (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating and, where necessary, taking legal action against suspected Nazi war criminals in the United States.

25. To third party contacts (including private collection agencies under contract with the Social Security Administration (SSA)) for the purpose of their assisting SSA in recovering overpayments.

26.Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

27. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

28. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in magnetic media (e.g., magnetic tape) and microform media.

Retrievability:

Records are indexed and retrieved by Social Security number.

Safeguards:

All magnetic tapes and magnetic discs are within an enclosure attended by security guards. Anyone entering or leaving that enclosure must have special badges which are only issued to authorized personnel. All authorized personnel having access to the magnetic records are subject to the penalties of the Privacy Act. The microfiche are stored in locked cabinets, and are accessible to employees only on a need-to-know basis. All Supplemental Security Income Records (State Data Exchange records) are protected in accordance with agreements between the Social Security Administration and the respective States regarding confidentiality, use, and redisclosure. (See Appendix J for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Original input transaction tapes received which contain initial claims and posteligibility actions are retained indefinitely although these are processed as received and incorporated into processing tapes which are updated to the master SSI tape file on a monthly basis. All magnetic tapes appropriate to SSI information furnished specified Federal, State, and local agencies for verification of eligibility for benefits and under section 1631(e) are retained, in accordance with the Privacy Act accounting requirements, for at least 5 years or the life of the record, whichever is longer.

System manager(s) and address:

Director, Office of User Requirement and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to or visiting the most convenient Social Security district or branch office (see Appendix F.1 for address information) and providing name and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of or access to a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Data contained in the Supplemental Security Record is obtained for the most part from the applicant for SSI payments and is derived from the Claim Folder system (09-60-0089). The States also provide data affecting the Supplemental Security Record (State Data Exchange Files).

Systems exempted from certain provisions of the act:

None.

09-60-0110

System name:

Supplemental Security Income File of Refunds, HHS/SSA/OURV.

Security classification:

None.

System location:

Social Security Administration, Office of User Requirement and Validation, 6401 Security Boulevard. Baltimore, Maryland 21235.

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

This system contains a record of each individual who has refunded a Supplemental Security Income payment to which he/she was not entitled or that was received as a result of an overpayment.

Categories of records in the system:

This file contains information about refunds sent in by persons who were overpaid or not entitled to Supplemental Security Income payments they received. Specific information is name of individual, Social Security number, date of refund, and amount of refund.

Authority for maintenance of the system:

Sections 1602, 1611, and 1631 of Title XVI of the Social Security Act.

Purpose(s):

This file is established after supplemental security income refunds received have been recorded and deposited in the Federal Reserve bank. The money refunded is broken into Federal share and State share for accounting purposes.

The information in this system is keyed directly onto tapes which are kept in SSA's tape library. The tapes are used to prepare cross reference listing and to input information into the system.

Manual records are used to prepare responses to inquiries from district offices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. State audit agencies pursuant to agreements with HHS for auditing State supplementation payments.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tape) and paper form.

Retrievability:

Listings are referenced by Social Security number. The source document is filed by bank deposit schedule number; the cross reference listing, in Social Security number sequence, by month.

Safeguards:

The source documents and listings are kept in an area which is secured at night—doors locked. Information is furnished only to other Social Security Administration components with limited access by employees who have a need for the records in the performance of their official duties. The magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Office of Systems. The storage area is controlled by marshalls responsible for insuring that only authorized personnel are admitted. Official identification badges or passes are required to gain entrance to the storage area. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The source documents and listings are being held indefinitely. Eventually they will be retired to the Federal Record Center. The tapes are stored in the Social Security tape library.

System manager(s) and address:

Director, Office of User Requirement and Validation, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing his or her name, Social Security number, pertinent information about his or her case, and the name of this system to the system manager at the address shown above. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The receipt form completed by an employee in the Social Security district/branch office plus the actual check, money order, etc., used to remit the money.

Systems exempted from certain provisions of the act:

None.

09-60-0111

System name:

Debit Voucher File (Supplemental Security Income), HHS/SSA/OURV.

Security classification:

None.

System location:

Social Security Administration, Office of User Requirement and Validation, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

The file contains a record for aged, blind, or disabled individuals who have negotiated two checks for the same month incorrectly.

Categories of records in the system:

The SF-1082, Voucher and Schedule of Withdrawals and Credits, is sent to the Office of Management, Budget and Personnel from the Department of Treasury billing the Social Security Administration for additional monies expended on their behalf. It contains the identification of the individual, name and social security number, and amount of money involved.

Authority for maintenance of the system:

Sections 1602, 1611 and 1631 of Title XVI of the Social Security Act.

Purpose(s):

This system is used to maintain photocopies of erroneously negotiated supplemental security income checks as well as copies of bounced checks which the Treasury Department sends to the Social Security Administration (SSA), which SSA district and branch files and use for future reference when they attempt to collect the money from the individual. The money amount is allocated to the Federal share and State share for accounting purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be make for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To State audit agencies pursuant to agreements with HHS for auditing State supplementation payments.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with

respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form.

Retrievability:

Information in this system is indexed and retrieved by Social Security number

Safeguards:

Access limited to employees on need to know basis. Area secured at night—doors locked. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

The records are being held indefinitely. They will eventually be retired to the Federal Records Center.

System manager(s) and address:

Director, Office of User Requirement and Validation, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing his or her name, Social Security number, pertinent information about his or her case, and the name of this system to the system manager at the address shown above. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information if obtained from the Bureau of Government Financial Operations of the Department of the Treasury.

Systems exempted from certain provisions of the act:

None.

09-60-0117

System name:

Age at First Payment of Retirement Insurance Benefit, HHS/SSA/OACT.

Security classification:

None.

System location:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Recently entitled Retirement Insurance beneficiaries.

Categories of records in the system:

Payment history and demographic information.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C. Sec. 702).

Purpose(s):

Information in this system is used for statistical purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

Individual records are identified by claim account number (Social Security number plus alphabetic code).

Safeguards:

All magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing and Data Development. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

This system is updated infrequently and magnetic tapes are returned to blank stock.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates, Office of the Actuary, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the address shown above and providing his or her claim account number. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from another Social Security system, The Master Beneficiary Record, 09-60-0090.

Systems exempted from certain provisions of the act:

None.

09-60-0118

System name:

Non-Contributory Military Service Reimbursement System, HHS/SSA/OP.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

A sample of beneficiaries who have non-contributory military service credits.

Categories of records in the system:

Information in this system consists of the beneficiary's name and claim acount number (Social Security number plus alphabetic code) and information concerning covered earnings, benefits and payment status.

Authority for maintenance of the system:

Section 217, 229, and 231 of the Social Security Act.

Purpose(s):

Data in this system are used for statistical purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

The file is indexed with the CAN (Social Security number plus alphabetic code).

Safeguards:

All magnetic tape files are retained in secure storage areas accessible only to authorized persons who have a need for the files to perform their assigned duties. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

This system is updated annually. The records are retained indefinitely.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates, Office of the Actuary, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the address shown above. When requesting notification, the individual should provide his or her name and CAN (Social Security number plus alphabetic code). These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Data in this system are derived information in other SSA systems of records, namely, the Earnings Recording and Self-Employment System (09-60-0059), Claim Folders (09-60-0089) and Master Beneficiary Record (09-60-0090).

Systems exempted from certain provisions of the act:

None.

09-60-0119

System name:

Special Age 72 Benefit Trust Fund Transfer Project, HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

This system covers all individuals entitled to benefits under the Prouty amendments.

Categories of records in the system:

Records consist of information pertaining to benefit entitlement, demographic information, and earnings.

Authority for maintenance of the system:

Section 223 of the Social Security Act.

Purpose(s):

The purpose of this system is to maintain information which is used to determine an amount of money to be transferred from General Revenue to the Old Age and Survivors Insurance Trust Fund.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

Individual records are identified by claim account number (Social Security number plus alphabetic symbol).

Safeguards:

All magnetic tapes are retained in secure storage areas accessible only to authorized personnel. All employees having access to records have been notified of criminal sanctions for unauthorized disclosures of information on individuals. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

This system is updated periodically and magnetic tapes are erased and returned to blank stock.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates, Office of the Actuary, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by providing his or her claim account number to the system manager at the address shown above. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from other SSA systems, namely the Earnings Recording and Self-Employment Income System (09-60-0059) and the Master Beneficiary Record (09-60-0090).

Systems exempted from certain provisions of the act:

None.

09-60-0128

System name:

Retirement, Survivors and Disability Insurance Claims Study, HHS/SSA/OA.

Security classification: None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Office of Assessment, Office of Payment and Eligibility Quality, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Program Service Centers (See Appendix A for addresses)
Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203.

and

Social Security Administration, Office of Disability Operations, Baltimore, Maryland 21241

Categories of individuals covered by the system:

National stratified probability sample of individuals allowed or denied benefits, as well as those awarded lump sum death benefits, beginning November 1964 for Retirement and Survivors claims, May 1966 for Disability claims.

Categories of records in the system:

Demographic characteristics of beneficiary, description of allegations, evidence and findings, and case control data.

Authority for maintenance of the system:

Section 205 of the Social Security Act.

Purpose(s):

This is a study to evaluate the effectiveness of Retirement, Survivors, and Disability Insurance program policies. Date from this study are compiled for evaluative purposes, and subsequently stored in the claims folders. Adverse data received in the conduct of this study may be used to review earlier claims or post-adjudicative decisions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To third parties for verification of information given by claimants.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained on magnetic tape and in paper form.

Retrievability:

Records are indexed by identification sequence number.

Safeguards:

All folders are kept in secure areas, accessible only to authorized staff (i.e., statisticians, analyst, and programmers). For computerized records, safeguards are established in accordance with the Department of Health and Human Services Automated Data Processing Manual, "Part 6, ADP System Security." (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Disposal of file folders is conducted in accordance with Social Security Administration guidelines for Title II claims, while magnetic tapes are held for 5 years before being erased.

System manager(s) and address:

Director, Division of Payment and Eligibility Quality, Office of Assessment, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the system manager at the address shown above. When requesting notification, the individual should provide the name of this system, Social Security number and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, the month and year in which the individual was allowed or denied benefits (Retirement or Disability). These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from other SSA systems: e.g., the Earnings Recording and Self-Employment System (09-60-0059), Claim Folders (09-60-0089) and Supplemental Security Income Record (09-60-0103); and survey data collected by Social Security employees.

Systems exempted from certain provisions of the act:

None.

09-60-0129

System name:

Adjudication of Supplemental Security Income Policy Analysis Review, HHS/SSA/OA.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Office of Assessment, Office of Payment and Eligibility Quality, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Program Service Centers, (See Appendix A for addresses)
Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203

and

Social Security Administration, Office of Disability Operations,
Baltimore, Maryland 21241

Categories of individuals covered by the system:

National stratified probability sample of individual allowed or denied Supplemental Security Income benefits since January 1975.

Categories of records in the system:

Demographic characteristics of the beneficiary, description of allegations, evidence and findings, and case control data.

Authority for maintenance of the system:

Sections 205 and 1631 of the Social Security Act.

Purpose(s):

This is a study to evaluate the effectiveness of supplemental security income program policies. Data from this study are compiled for evaluation purposes and subsequently stored in the claim folders system (09-60-0089). Adverse data received in the conduct of this study may be used to review earlier claims or post-adjudicative decisions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To third parties for verification of information given by claimants.

2. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored on magnetic tape.

Retrievability:

Records are indexed by identification sequence number.

Safeguards:

All folders are kept in secure areas, accessible only by authorized staff (i.e. statisticians, analyst, and programmers).

For computerized records, safeguards are established in accordance with the Department of Health and Human Services Automated Data Processing Manual, "Part 6, ADP System Security." (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Disposal of file folders is conducted in accordance with Social Security Administration guidelines for Title XVI claims, while magnetic tapes are held for 5 years before being erased.

System manager(s) and address:

Director, Office of Payment and Eligibility Quality, Office of Assessment, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the address shown above. When requesting notification, the individual should provide the name of this system, Social Security number, and, for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, the month and year in which the individual was allowed or denied supplemental security income payments. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from other SSA systems, e.g.: Earnings Recording and Self-Employment Income System (09-60-0059), Claim Folders (09-60-0089) (Title II and Title XVI claims folders), Master Beneficiary Record (09-60-0090), and Supplementary Security Income Record (09-60-0103); and survey data collected by Social Security employees.

Systems exempted from certain provisions of the act:

None.

09-60-0148

System name:

Matches of Internal Revenue Service and Social Security Administration Data with Census Survey Data (Joint Social Security Administration/Census Statistics Development Project), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security
Boulevard, Baltimore, Maryland 21235
Social Security Administration, Office of Research and Statistics,
1875 Connecticut Avenue, NW, Washington, D.C. 20009

and

Bureau of the Census, Suitland, Maryland 20233

Categories of individuals covered by the system:

Samples of United States civilian population and those Armed Forces personnel residing with their families as of March 1975-1980 and subsequent periods.

Categories of records in the system:

Basic demographic characteristics from Census survey-labor force, work experience and income items from the survey; Social Security Administration earnings and benefit record information; selected Internal Revenue Service tax return items.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902), and Title 13 U.S. Code, section 182 for Census participation.

Purpose(s):

This data file is used as the basis of microsimulations of tax and transfer programs. These microsimulations provide policy makers with information about the costs and effects of proposed changes in the social security tax and benefit structures and in the Federal income tax program. It also is used to estimate the number of nonfilers and the magnitude of the effects of noncompliance with IRS and SSA regulations. During those matching steps which occur at the Social Security Administration, identifiable data is solely under the control of a limited number of Social Security employees who are required to uphold the Census and IRS statutes as well as the confidentiality restrictions of the Social Security Administration. Similar provisions are made for the handling of identifiable data from the project at the Census Bureau. Contractors provide storage of and remote terminal access to files which do not carry identifiers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

(Through the Census Bureau) to a congressional office in response to an inquiry from that office made at the request of the subject of a record. Tax return information may be disclosed only with the expressed authorization of the Internal Revenue Service.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tape and in paper form.

Retrievability:

Records are indexed by Social Security number during the matching steps at the Social Security Administration and Census but identifiers are not retained at the Social Security Administration after matching is completed.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, Part 6, ADP System Security. Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals.

Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Following the match, all identifiers are removed from the records kept at the Social Security Administration. The Census Bureau retains identifiers for possible longitudinal updating.

Records with identifiers will be held in secure storage areas at the Census Bureau and will be disposed of as soon as they are determined to be no longer needed for Census or SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc.

As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue, NW, Washington, D.C. 20009.

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA program should consult other SSA systems of records which contain more detailed information. However, individuals may obtain notification of or access to information that may be maintained during processing stages in this system, by writing to the system manager (at the above address) and providing the name of this system, their name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide name, address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Except in transitory stages of preparation, files at SSA which are based on Census or Internal Revenue Service samples do not have personal identifiers, and cannot be located on an individual basis. Records with identifiers maintained at the Bureau of Census are considered by Census to be exempt from access.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulation 45 CFR Part 5b.

Record source categories:

Records in this system are derived from other Social Security Administration systems, the Earnings Recording and Self-Employment Income System (09-60-0059) and Master Beneficiary Record (09-60-0090), Internal Revenue tax returns; and Census surveys.

Systems exempted from certain provisions of the act:

None.

09-60-0149

System name:

Matches of Internal Revenue Service and Social Security Administration Data (Joint Social Security Administration/Treasury Department Office of Tax Analysis, Statistics Development Project), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235

Social Security Administration, Office of Research and Statistics, 1875 Connecticut Avenue, NW, Washington, D.C. 20009
and

Department of the Treasury, 15th & Pennsylvania Ave., NW, Washington, D.C 20220

Categories of individuals covered by the system:

Samples of persons by or on whose behalf Federal income or estate tax returns, or wages or self-employment earnings reports have been filed for 1970, 1972, 1975, 1977, 1979 and selected subsequent years.

Categories of records in the system:

Social Security Administration demographic data; Social Security Administration earnings information; and tax return data.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902) and section 6103 of the Internal Revenue Code (26 U.S.C. 6103) for Treasury participation.

Purpose(s):

These files are used to develop data based for SSA's Office of Research and Statistics studies of economic behavior, mortality, wealth, and occupation in the context of the income maintenance system; and for micro-economic analysis of income distribution. These data bases are used by the Office of Research and Statistics jointly with the Department of the Treasury's Office of Tax Analysis without identifiers for research and statistical projects sponsored by the Office of Research and Statistics, the Office of Tax Analysis and the Internal Revenue Service. Files without identifiers are used for statistical analysis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. (Through the Treasury Department) to a congressional office in response to an inquiry from that office made at the request of the subject of a record. Tax return information is disclosed only with the expressed authorization of the Internal Revenue Service.

2. To the Department of the Treasury, Office of Tax Analysis, in connection with statistical studies conducted for Social Security Administration and Department of the Treasury purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tape.

Retrievability:

Records are indexed by Social Security number during the searching steps at the Social Security Administration. Indentifiers are retained at the Office of Tax Analysis for matching purposes which are carried out entirely at Treasury.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, Part 6, ADP System Security. Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. Special update files prepared for use in data-base management systems are purged. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Identifiable data are retained by the Social Security Administration only during the search process. Once searching is complete all computer tapes are turned over to the Treasury Department.

A matched SSA-Treasury file without identifiers is available to SSA and Treasury for research use. SSA does not have detailed Internal Revenue Service data with identifiers at any point in the matching process. The minimum amount of Internal Revenue Service data with identifiers needed to validate the processing is used by the Social Security Administration. Identifiers may be retained on the Treasury copies of intermediate and matched files in secure storage.

The retention of these identifiers is needed exclusively for possible further matching; e.g., with similar data for different years.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue, NW, Washington, D.C. 20009

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA program should consult other SSA systems of records which contain more detailed information. However, if an individual wishes notification of or access to information that may be maintained during processing stages in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identify, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Except in transitory stages of preparation, files at SSA do not have personal identifiers, and cannot be located on an individual basis.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are derived from other Social Security Administration systems; e.g., the Master Files of Social Security Number Holders (09-60-0058), Earnings Recording and Self-Employment Income Record (09-60-0059), Master Beneficiary Record (09-60-0090); and Internal Revenue Service Federal income and estate tax returns.

Systems exempted from certain provisions of the act:

None.

09-60-0159

System name:

Continuous Work History Sample (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235
and
Parklawn, 5600 Fishers Lane, Rockville, Maryland 20857.

Categories of individuals covered by the system:

A sample of persons with social security numbers issued through the cutoff date of the file. Included are those persons working for the Federal government and those covered by the Railroad Retirement Act, as well as those covered under social security.

Categories of records in the system:

Demographic characteristics; employer information; type of work information; earnings information; self-employment information; insured status information; benefit status; and geography information (residence).

Authority for maintenance of the system:

Section 702 of the Social Security Act. (42 U.S.C. sec. 902).

Purpose(s):

This system provides a one percent overview of SSA programs. With identifiers, the system is used by Office of Research and Statistics (ORS) staff in analysis and research of SSA programs, workloads, and revenue. Purged of identifiers, it has been an important resource for HHS planning and evaluation and for health research in the Health Care Financing Administration and the Public Health Services. Its wide scope and coverage of the income structure of the United States, make the data from the system useful to many agencies, including the Census Bureau and the Bureau of Economic Analysis, as a fundamental source of data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To the Department of Labor for administering provisions of Title IV of the Federal Coal Mine Health and Safety Act and for studies on the effectiveness of training programs to combat poverty.

2. To the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to this system of records.

3. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

4. To a Federal or State agency (or its agent) lawfully charged with the administration of a Federal or State unemployment compensation law or contribution or tax levied in connection therewith, for the purpose of such administration but solely for use in compiling statistics to be used in aggregated or anonymous forms.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data are stored on magnetic tape.

Retrievability:

The file is indexed and retrieved by use of the Social Security number.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, Part 6, ADP System Security. Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

This is a longitudinal sample. Records with identifiers will be retained as long as needed to permit addition of future earnings and other Social Security Administration program data for individuals in sample. When no longer needed, the tape records are erased and returned to stock.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, 1875 Connecticut Avenue NW, Washington, D.C, 20009.

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA program should consult other SSA system of records which contain more detailed information. However, if the individual wishes notification of or access to information that may be maintained during processing stages in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are derived from other Social Security Administration systems: e.g., the Master Files or Social Security Number Holders (09-60-0058), Earnings Recording and Self-Employment Income System (09-60-0059), Master Beneficiary Record (09-60-0090); quarterly earnings items file; and the Internal Revenue Service name and address file.

Systems exempted from certain provisions of the act:

None.

09-60-0184

System name:

Hearing Officer Master Calendar, HHS/SSA/OHA.

Security classification:

None.

System location:

All Hearing Offices (See Appendix G for address information).

Categories of individuals covered by the system:

Claimants—Title II (Retirement, Survivors and Disability); Title XI (Claimants Subject to Professional Standards Review); Title XVI (Supplemental Security Income); Title XVIII (Health Insurance) and claimants for Black Lung benefits pursuant to provisions of the Federal Coal Mine Health and Safety Act.

Categories of records in the system:

A list of all cases pending in the hearing office.

Authority for maintenance of the system:

Section 205, 1631(d)(1) and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

The purpose of this system is to enable the Hearing Office to ascertain the location of cases within the Office of Hearings and Appeals and maintain control of the pending case load.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., folders in filing cabinets).

Retrievability:

Records are retrieved by use of the Social Security number.

Safeguards:

Folders are kept in metal filing cabinets. Access to and use of the records are limited to those employees whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

As each case is disposed of, it is removed from the master calendar. Individual files are disposed of by shredding.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, Room 402, 3833 North Fairfax Drive, Arlington, Virginia 22203.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by providing his or her name, address and Social Security number to the address below. Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay: Social Security Administration, Office of Hearings and Appeals, P.O. Box 2518, Washington, D.C. 20013. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

From hearing office personnel and from information on incoming cases.

Systems exempted from certain provisions of the act:

None.

09–60–0186

System name:

SSA Litigation Tracking System, HHS/SSA/OR.

Security classification:

None.

System location:

Social Security Administration, Office of Regulations, Litigation
Staff, 6401 Security Boulevard, Baltimore, Maryland 21235

and

Social Security Administration, Office of Systems Operations,
6401 Security Boulevard, Baltimore, Maryland 21235

Categories of individuals covered by the system:

Individuals who are involved, as plaintiffs or defendants, in civil litigation concerning one or more of the programs administered by the Social Security Administration.

Categories of records in the system:

Complaints filed by individuals against the Secretary of Health and Human Services; court orders and decisions regarding cases in litigation and related litigation materials (e.g., briefs, motions, internal memoranda).

Authority for maintenance of the system:

Section 205(a) Social Security Act (42 U.S.C. 405(a)).

Purpose(s):

Records maintained in this system are used by the SSA Litigation Staff in the course of their responsibilities for formulating and coordinating responses to interrogatories and recommendations regarding the appeal of adverse court decisions. These records also are used to enable Staff to review and analyze court decisions and to direct the implementation of interim and final court orders.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to respresent such employee:

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigationor has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper copy and on magnetic tape.

Retrievability:

The records are retrieved alphabetically by plaintiff's name and numerically by Social Security number.

Safeguards:

Paper files are maintained in locked file cabinets. Access to these files is limited to employees who require the files to perform their assigned duties. Magnetic tape records are maintained in a secured area attended by security guards. Access to the secured area is electronically controlled and limited to those employees who have a need to enter the area in the performance of their official duties. All personnel having access to the records have been informed of criminal sanctions for unauthorized disclosure of information relating to individuals. (See Appendix J to this publication for additional relating to safeguards SSA employs to protect personal records.)

Retention and disposal:

Normally, records will be retained for two years after the expiration of the appeal period, then destroyed. (Paper records are shredded and tape records erased.) Certain cases in which constitutional/policy issues are involved (e.g., Supreme Court cases) will be retained indefinitely by Litigation Staff. All other records will be transferred to the Office of Regulations Reference Room to be retained for historical purposes.

System manager(s) and address:

Director, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the address shown above. When requesting notification, the individual should provide his or her name, and for verification purposes, Social Security number, address, date of birth, and sex. Furnishing the Social Security number is voluntary, but it will make searching for the individual's record easier and avoid delay. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Systems of records maintained by SSA, namely Claim Folders (09-60-0089), Master Beneficiary Record (09-60-0090) and Security Income Record (09-60-0103); plaintiff's complaints, court orders, court decisions and court directives.

Systems exempted from certain provisions of the act:

None.

09-60-0196

System name:

Disability Studies, Surveys, Records and Extracts (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, Maryland 21235

Bureau of the Census, Washington, D.C. 20233, Jeffersonville, Indiana 47130

and

Contractor sites: Addresses may be obtained by writing to the system manager at the address below

Categories of individuals covered by the system:

Samples of persons who are present or potential recipients of SSA Disability payment/benefits, including specifically selected subsets of each category; applicants/participants in State vocational rehabilitation programs; and samples of other persons regardless of status of purposes of comparison in the above categories.

Categories of records in the system:

Socio-economic, demographic, medical and disability characteristics, attitudes, earnings and employment history, benefit information, and use of medical and rehabilitative services.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902); Title 13 of the U.S. Code, Section 182 for Census participation.

Purpose(s):

The purpose of this system is to collect data by the following methods: (1) Extraction from program records (including records compiled at the State level); and (2) through surveys which may be augmented with program data. The SSA Office of Research and Statistics uses this data to examine the medical, economic, and social consequences of limitations in work activity for the disabled person and his/her family; from program planning and evaluation; for evaluation of proposals for policy and legislative changes; for determinations of the characteristics of program applicants and benefit recipients, etc.

Within SSA, tapes which have been purged of identifiers are used by the Office of Evaluation and the Office of Disability Programs. Public use extract tapes are furnished on request by mail to public and private organizations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To a contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form (e.g., questionnaire forms, computer printouts and punch cards), on microfilm, and in magnetic media (e.g., magnetic tapes and discs).

Retrievability:

Files are indexed by Social Security number or by Social Security Administration assigned case numbers. Files based on Census sample populations are indexed by Census assigned case numbers. These numbers are cross referenced at Census to social security numbers which are available only to census employees or SSA staff who are Census special sworn employees.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, Part 6, ADP System Security. Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Hard copy questionnaires are destroyed when survey reports are completed. Records with identifiers are held in secure storage areas and are disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal is appropriate to the record storage medium; e.g., erasure of tapes, shredding of printouts, etc. Periodic reviews are made to determine the need for retention. In longitudinal studies, working files are purged of identifiers and given randomly assigned case numbers. A separate link file is maintained in secure storage areas for updating with individual identifiers.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue NW, Washington, D.C. 20009.

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA programs may wish to contact other SSA systems of records which contain more detailed information.

However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the address above) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Except in transitory stages of preparation, files at SSA which are based on Census samples do not have personal identifiers, and cannot be located on an individual basis. Records with identifiers maintained at the Bureau of Census are considered by Census to be exempt from access.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are derived from other Social Security Administration systems; e.g., Earnings Recording and Self-Employment Income System (09-60-0059); Claims Folders System (09-60-0089) (disability case folders), etc.; and Master Beneficiary Record (09-60-0090); survey data collected by contractors; case service reports of the vocational rehabilitation agencies (R-300); Office of Hearings and Appeals Records Locator; Health Insurance Master Files; and SSA Administrative awards file. Bureau of the Census records may be used as a sampling frame.

Systems exempted from certain provisions of the act:

None.

09-60-0198

System name:

Extramural Research Administrative File, HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Personnel described in research project proposals submitted for grant or contract consideration.

Categories of records in the system:

Professional qualifications and other relevant information about project personnel. Direct and indirect information on individual salaries may be included.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C. 902); Section 1110 of the Social Security Act (42 USC 1310).

Purpose(s):

With respect to administrative and personnel information kept on extramural research contracts and grants, the purpose is to ascertain the credentials of individuals and organizations proposing to do research for SSA, and to establish and maintain surveillance over the research projects being performed for SSA. This information is available to other components of SSA and HHS for administrative analysis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the court or to a party in connection with any civil or criminal action to which the Secretary is a party or otherwise involving a program administered by the Social Security Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in paper form (e.g., punch cards, and printouts) and in magnetic media (e.g., magnetic tapes and discs).

Retrievability:

Files are indexed by a Department of Health and Human Services-assigned number.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc.

As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Bldg./Rm. 1121, 1875 Connecticut Avenue NW, Washington, D.C. 20009.

Notification procedure:

If an individual wishes notification of or access to information that may be contained in this system, he/she should write to the system manager (at the address above) and provide the name of the system, his/her name, Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Project proposals submitted for grant or contract consideration.

Systems exempted from certain provisions of the act: None.

09-60-0199

System name:

Extramural Surveys (Statistics), HHS/SSA/OP.

Security classification: None.

System location:

Social Security Administration, Office of Systems Operations,
6401 Security Boulevard, Baltimore, Maryland 21235

and

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system:

Samples of individuals who are current or potential recipients of benefits from Social Security and related programs; personnel administering Social Security Administration and related programs.

Categories of records in the system:

Socio-economic, demographic, medical and disability characteristics; attitudes concerning subjects such as health, work experience, and family relationships; earnings and employment history, benefits, use of medical and rehabilitative services.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902) and section 1110 of the Social Security Act (42 U.S.C., section 1310).

Purpose(s):

The purpose of conducting extramural surveys at outside organizations for the Office of Research and Statistics is to obtain information on individuals who are current or potential recipients of benefits from social security and related programs. When the product is in the form of microdata it is available without personal identifiers to other SSA and HHS components for data processing and data manipulation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To a contractor under contract to the Social Security Administration, or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in paper form (e.g., punch cards and computer printouts), on microfilm, and in magnetic media (e.g., magnetic tape and disc).

Retrievability:

Files based on Social Security Administration sample populations are indexed by SSA-assigned case numbers or Social Security numbers. Files based on contractor sample populations are indexed by contractor-assigned case numbers which may be cross-referenced to Social Security numbers.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for analysis.

Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc.

As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

In longitudinal studies, working files are stripped of identifiers and given randomly assigned case numbers. A separate link file will be maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue NW, Washington, D.C. 20009.

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA programs may wish to consult other SSA systems of records which contain more detailed information. However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Survey data obtained by the contractor; SSA administrative records.

Systems exempted from certain provisions of the act:

None.

09-60-0200

System name:

Retirement and Survivors Studies, Surveys, Records, and Extracts (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations,
6401 Security Boulevard, Baltimore, Maryland 21235
Bureau of the Census, Washington, D.C. 20233, Jeffersonville,
Indiana 47130
Social Security Administration, Office of Research and Statistics,
1875 Connecticut Avenue, NW, Washington, D.C. 20009

Datacrown/SDL, 12401 Columbia Pike, Silver Spring, Maryland
20904

and

Contractor sites: Addresses may be obtained by writing to the system manager (at the address below)

Categories of individuals covered by the system:

Sample groups of adults or children who are current, past or potential recipients of Social Security payments, or pension or survivor benefits from public or private sources; and samples of other persons or families regardless of recipient or benefit status for purposes of comparison with persons or families in the above categories.

Categories of records in the system:

Socio-economic, demographic, medical, insurance, welfare, attitudes, earnings, employment, and benefits.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902); Section 182, Title 13 of the U.S. Code for Census participation.

Purpose(s):

The purpose of this system is to collect data by the following methods: extraction from program records (including records compiled at the State level); and through surveys which may be augmented with program data. The statistical aggregated data provided by this system is used for program planning and evaluation purposes. Systems data typically exist with identifiers removed and are available to other SSA and HHS components for similar program analysis purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in paper form (e.g., hardcopy questionnaires, punch cards and computer printouts) on microfilm, and in magnetic media (e.g., magnetic tape and disc).

Retrievability:

Files are indexed and retrieved by use of the Social Security number or by SSA assigned case numbers. Files based on Census sample populations are indexed by Census assigned case numbers. These numbers are cross referenced at Census to Social Security numbers which are available only to Census employees or SSA staff who are Census special sworn employees.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Hard copy questionnaires are destroyed when survey reports are completed. Records with identifiers are held in secure storage areas and are retained only as long as needed for SSA analysis.

Identifiers are removed at the earliest possible time, after data collected is completed. Records with identifiers are disposed of as soon as they are determined to be no longer needed. Means of disposal are appropriate to the record medium, e.g., erasure of tapes, shredding of printouts, etc.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue NW, Washington, D.C. 20009

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA programs should consult other SSA systems of records which contain more detailed information. However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Except in transitory stages of preparation, files at SSA which are based on Census samples do not have personal identifiers, and cannot be located on an individual basis. Records with identifiers maintained at the Bureau of Census are considered by Census to be exempt from access.

Contesting record procedures:

Same as notification procedures. Also, individuals should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from: SSA administrative records, e.g., the Earnings Recording and Self-Employment Income System (09-60-0059) and Master Beneficiary Record (09-60-0090); and survey data collected by contractor. Bureau of the Census records may be used as a sampling frame.

Systems exempted from certain provisions of the act:

None.

09-60-0202

System name:

Old Age, Survivors and Disability Beneficiary and Worker Records and Extracts (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, Office of Systems Operations,
6401 Security Boulevard, Baltimore, Maryland 21235
Datacrown/SDL, 12401 Columbia Pike, Silver Spring, Maryland
20904
and

Contractor sites: Addresses may be obtained by writing to the system manager (see below).

Categories of individuals covered by the system:

Groups of applicants for and recipients of Social Security Old-Age, Survivors, Disability and Black Lung benefits; persons with taxable earnings; persons issued Social Security numbers. Most files are samples of selected subgroups.

Categories of records in the system:

Socio-economic, demographic, medical and disability characteristics, earnings, employment history, benefits, and use of medical and rehabilitative services.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902).

Purpose(s):

The purpose of this system is to obtain research and statistical information about Social Security beneficiaries for use in various research and publication projects. Transfers to other components of HHS are made in summary form or with all identifiers suppressed.

Transfers within the Office of Research and Statistics are the only transfers that include identifiers, except for a routine use.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in paper form (e.g., hardcopy questionnaires, punch cards and computer printouts), in magnetic media (e.g., magnetic tape) and on microfilm.

Retrievability:

Files are indexed and retrieved by use of the Social Security number.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to the publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc.

As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue, NW, Washington, D.C. 20009

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA programs should consult other SSA systems of records which contain more detailed information. However, if the individual wishes notification of or access to information in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number if voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records are derived from other SSA system; e.g., Earnings Recording and Self-Employment System (09-60-0059) and Master Beneficiary Record (09-60-0090); and other SSA records related to earnings and applications for, or payment of benefits. For selected employers, lists of persons working in covered employment.

Systems exempted from certain provisions of the act:

None.

09-60-0203

System name:

Supplementary Security Income (SSI) Studies, Surveys, Records and Extracts (Statistics), HHS/SSA/OP.

Security classification:

None

System location:

Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, 1875 Connecticut Avenue, NW, Washington, D.C. 20009
Bureau of the Census, Washington, D.C. 20233, Jeffersonville, Indiana 47130
Datacrown/SDL, 12401 Columbia Pike, Silver Spring, Maryland 20904

and

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system:

Sample groups and Supplemental Security Income population subsets of persons and families receiving or potentially eligible to receive welfare assistance under the SSI and related Federal/State welfare programs, including Aid to Families with Dependent Children, General Assistance, Emergency Assistance and Food Stamps and low-income energy assistance; samples of specially selected subsets of persons from the above programs; other persons or families, regardless of SSI or poverty status, for use within the same system of records for comparison purposes with persons or families in the above categories; Federal/State personnel responsible for the administration of SSI and related welfare programs.

Categories of records in the system:

Basic demographic characteristics; medical and disability information; socio-economic information; living conditions; attitudes; earnings and employment history, benefits; use of medical and rehabilitative services; participation in and benefits received under SSI and related Federal/State welfare programs.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C. Section 902); Title 13 of the U.S. Code, section 182 for Census participation.

Purpose(s):

The purpose of this system is to collect data by the following methods: Extraction from program records (including records compiled at the State level); and through surveys which may be augmented with program information. Basic data on SSI recipients and others are collected, analyzed and published by the SSA Office of Research and Statistics for program planning and evaluation purposes. Such information is then used in the budget process for legislative change and as a basis for studying the effectiveness of the SSI and related welfare programs in meeting the need of the target population served. Currently, access to microdata files with identifiers comprised of data from within this system is limited to Office of Research and Statistics researchers. Other components of HHS receive summary data or microdata without identifiers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in paper form (e.g., hard copy questionnaire, punch cards and computer printouts) on microfilm and in magnetic media (e.g., magnetic tape and disc).

Retrievability:

Records are indexed and retrieved by use of the Social Security number.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal are appropriate to the storage medium; e.g., erasure of tapes shredding of printouts, etc.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building/Room 1121, 1875 Connecticut Avenue, NW, Washington, D.C. 20009

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not ordinarily be interested in. Individuals inquiring about their records in SSA programs should consult other SSA systems of records which contain more detailed information. However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and Social Security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Except in transitory stages of preparation, files at SSA which are based on Census samples do not have personal identifiers, and cannot be located on an individual basis. Records with identifiers maintained at the Bureau of Census are considered by Census to be exempt from access.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in this system are derived from other SSA systems; e.g., Earnings Recording and Self-Employment System (09-60-0059), Claim Folders (09-60-0089) (Disability Case Folders), Master Beneficiary Record (09-60-0090) and Supplemental Security Income Record (09-60-0103) (SSI Applications); program records of other Federal/State welfare programs; and/or survey data collected by contractor; the Health Insurance Master File and related files of the HHS Health Care Financing Administration and other SSA administrative records; and case service reports of the vocational rehabilitation agencies. Bureau of Census records may be used as a sampling frame.

Systems exempted from certain provisions of the act:

None.

09-60-0206

System name:

Repatriation Records System, HHS/SSA/OFA.

Security classification:

None.

System location:

Social Security Administration, Office of Family Assistance,
Repatriation Program Staff, 2100 2nd Street, SW, Room 111,
Washington, D.C. 20201

Categories of individuals covered by the system:

U.S. Citizens and their dependents returned from foreign countries by the Department of State because of mental or physical illness, destitution, war, threat of war or international crisis.

Categories of records in the system:

Identifying data such as name, date and place of birth, social security number, resources, employment, eligibility for other Federal, State or local programs and related data. Other categories include State and Regional reports, correspondence and accounting data.

Authority for maintenance of the system:

Title XI of the Social Security Act, section 1113 and 24 U.S.C.A. section 321 et seq.

Purpose(s):

This system provides a basis for the expenditure of Federal funds. Information is used for the administration of the repatriation program, by HHS regional staff, State and local health and human services agencies, and other private and public agencies as required.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operation of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deem desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To State and local Human Services agencies and other private and public agencies for the purpose of providing services through the repatriation program.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in paper form (e.g., individual case folders).

Retrievability:

Records are indexed and retrieved alphabetically by name.

Safeguards:

Access to an use of the records are limited to those persons whose official duties require such access. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. The records are stored in metal cabinets with lock and key. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information).

Retention and disposal:

The policy is to maintain records for one year after closure then transfer them to the Federal Records Center in Suitland, Maryland.

Records are maintained for five years by the Federal Records Center prior to destruction. Some records are maintained in the active files for considerably longer periods.

System manager(s) and address:

Repatriation Program Specialist, Repatriation Program Staff, OFA, SSA, HHS, 2100 2nd Street, SW, Room 111, Washington, D.C. 20201

Notification procedure:

An individual can determine if this system contains a record pertaining to him/her by contacting the official at the address under system manager above and providing his/her full name, date of birth and approximate date of repatriation. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is secured from the individual, his relative, any person knowledgeable of his situation and from State and local Health and Human Services agencies and other private and public agencies.

Systems exempted from certain provisions of the act:

None.

09–60–0209

System name:

Readership Surveys of Office of Research and Statistics (ORS) Publications (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Social Security Administration, 1875 Connecticut Ave NW,
Washington, DC 20009
Social Security Administration, 6401 Security Boulevard,
Baltimore, Maryland 21235

and

Contractor sites: Addresses may be obtained by writing to the system manager (see below).

Categories of individuals covered by the system:

Groups of readers and potential readers of ORS publications.

Categories of records in the system:

Type of access to publications, frequency and extent of use, relevance of publications to job and professional interests, socioeconomic and demographic characteristics, attitudes.

Authority for maintenance of the system:

Section 702 of the Social Security Act (42 U.S.C., Section 902).

Purpose(s):

The purpose of this system is to provide information about continued public use and reader interest as a measure of need for continued funding of publications programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To a contractor under contract to the Social Security Administration (SSA) or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored on hard copy questionnaire forms, microfilm, punchcards, magnetic tape, disc, or printouts.

Retrievability:

Records are indexed and retrieved by name and/or by Social Security number or contractor-assigned case numbers.

Safeguards:

Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers, are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for SSA analysis.

Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the records storage medium: e.g., erasure of tapes, shredding of printouts, etc.

As long as identifible records exist, a periodic review will be made at least every 2 years to determine the need for their retention.

In longitudinal studies, working files are stripped of identifiers maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director, Office of Research and Statistics, Social Security Administration, Universal North Building, Room 1121, 1875 Connecticut Avenue NW, Washington, DC 20009

Notification procedure:

This system contains limited data selected for statistical analysis which individuals would not normally be interested in. Individuals inquiring about their records in SSA programs should consult other SSA systems of records which contain more detailed information. However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the above address) and provide the name of this system, his/her name and social security number and a description of the information being sought. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.) Also, to verify identity, he/she should provide address and date of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

Mailing lists maintained by ORS and by the Government Printing Office and survey data collected by SSA or contractor.

Systems exempted from certain provisions of the act:

None.

09–60–0210

System name:

Record of Individuals Authorized Entry to Secured Automated Data Processing (ADP) Area, HHS/SSA/OS.

Security classification:

None.

System location:

Office of Systems Operations, Computer Center Building, 6401 Security Boulevard, Baltimore, Maryland 21235

Categories of individuals covered by the system:

Those individuals with a legitimate need who are authorized entry to secured ADP area.

Categories of records in the system:

This system contains the name, badge number, employer, access level, a unique five-digit identifying number, and a nine-digit number which is either the Social Security number or driver's license number for each individual authorized to enter the secured ADP area. The system also contains the date and time of actual or attempted entry to and exit from secured areas.

Authority for maintenance of the system:

5 U.S.C. 552a(e)(10).

Purpose(s):

This system is the basic system which we use to safeguard personal and sensitive records about individuals. Records in the system are used to restrict access to the SSA computer facility and other secured areas which house the information.

Data in the system also are used for management purposes to ensure the security of the computer facility and secured area and to verify time and attendance when employee fraud or abuse is suspected.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from the congressional office made at the request of that individual.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deem desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

SSA stores records in this system on magnetic media and paper form.

Retrievability:

SSA retrieves magnetic media records by name, badge number and the unique five—digit identifying number and paper records alphabetically by name.

Safeguards:

SSA maintains computerized records in a highly secured room within the secured area and hard copy records in a locked room. Only authorized security personnel and the Directors within the Office of Systems Operations (or their authorized representatives) have access to these records. SSA has established system security for this system in accordance with the HHS ADP System Manual, "Part 6, ADP System Security."

Retention and disposal:

SSA retains records in this system for up to 3 years following expiration of an individual's authority to enter the secured area. SSA destroys paper records by shredding. When an individual is no longer authorized, SSA deletes information from magnetic media immediately.

System manager(s) and address:

Associate Commissioner, Office of Systems Operations, 6401 Security Boulevard, Baltimore, Maryland 21235

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the individual specified under system manager above. When requesting notification, an individual should provide his or her social security number, name, signature, or other personal identification and refer to this system. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

SSA obtains information in this system from the individuals who are covered by the system.

Systems exempted from certain provisions of the act:

None.

09–60–0211

System name:

Beneficiary, Family, and Household Surveys, Records and Extracts System (Statistics), HHS/SSA/OP.

Security classification:

None.

System location:

Records in this system may be located at the following locations:

Office of Research, Statistics and International Policy, Social Security Administration, 1875 Connecticut Avenue, NW., Washington, D.C. 20009;
Office of Systems, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235,
Datacrown/SDL, 770 Brookfield Road, Ottawa, Ontario K1B 6J5, Canada;
Parklawn, 5600 Fishers Lane, Rockville, Maryland 20857;
National Institute of Health, 9000 Rockville Pike, Bethesda, Maryland 20205; and
Bureau of Census, Washington, D.C. 20857.

Records also may be maintained at contractor sites (contact the system manager at the address below to obtain contractor addresses).

Categories of individuals covered by the system:

Samples of United States individuals and households presently or potentially receiving benefits from the Department of Health and Human Services (HHS) or other related Federal/State programs, and other comparison individuals and households.

Categories of records in the system:

Basic demographic characteristics; marital and childcare histories; medical and disability information; information which relates to ability to work; living conditions; attitudes; socioeconomic information; earnings and employment history; financial assets and liabilities; real and personal property; benefit and pension information; use of medical and rehabilitative services; and participation in HHS and related Federal/State welfare programs.

Authority for maintenance of the system:

Sections 702 and 1110 of the Social Security Act; and 13 U.S.C. 182.

Purpose(s):

This system will enable the SSA Office of Research Statistics and International Policy to collect, compile, and analyze data through survey and record extracts. Data collected through the surveys in their developmental and operational phases will be used within ORSIP for program planning and evaluation purposes, subject to applicable restrictions of title 13, U.S. Code, regarding data supplied by the Bureau of the Census; and 26 U.S.C. 6103(p)(4) regarding Federal tax return information. In compliance with section 6103 of the Internal Revenue Code, no Federal tax return information contained in the proposed system of records will be disclosed by SSA to contractors or other agencies without the express approval of the Internal Revenue Service. Information resulting from these efforts will provide HHS with: (1) Reliable estimates of future outlays under various program alternatives; (2) a base for validation of other data sources currently used in policy analysis; and (3) an evaluation of the Retirement, Survivors and Disability Insurance program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a contractor under contract with SSA or another agency for the performance of research and statistical activities directly related to the purpose served by this system of records.

2. To another government agency (such as the Bureau of the Census) serving as a data source, collecting agent, or data processor for SSA in connection with research and statistical activities directly related to the purpose served by this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records may be stored on hard copy forms, discs, or magnetic tape.

Retrievability:

Records will be indexed by Social Security number (SSN) during the matching steps but identifiers will not be retained by SSA after matching is completed.

Safeguards:

Safeguards have been established in accordance with the HHS Automated Data Processing (ADP) System Manual, Part 6, ADP System Security; standards established by the Bureau of Census for protection of data collected by the Census under title 13, U.S. Code; and in accordance with 26 U.S.C. 6103(p)(4), which provides for protection of Federal tax return information, principally earnings records. These safeguards include maintaining the data in an enclosure attended by security guards, and using locked files and passwords. Only authorized personnel who have a need for the data in the performance of their official duties and have the appropriate identification and clearance will be permitted in areas containing records.

Employees having access to records will receive prior notification of criminal sanctions for unauthorized disclosure of personal information about individuals. Magnetic tape and other files with personal identifiers will be retained in secured storage areas accessible only to authorized personnel who have a need to enter the areas in the performance of their official duties. Microdata files prepared for purposes of research and analysis will be stripped of personal identifiers and will be subject to procedural safeguards to assure anonymity.

Retention and disposal:

Records with identifiers will be held in secured storage areas at SSA or at the Bureau of Census and will be disposed of as soon as they are determined to be no longer needed for analysis. Means of disposal will be appropriate to the records storage medium (e.g., erasure of tapes, shredding of printouts, etc.).

System manager(s) and address:

Director, Office of Research, Statistics, and International Policy, Social Security Administration, Room 1121 Universal North Building, 1875 Connecticut Avenue, Washington, D.C. 20009.

Notification procedure:

This system will contain limited data selected for statistical analysis about which individuals normally would not be interested. Individuals inquiring about their records in SSA programs may wish to consult other SSA systems of records which contain more complete information.

However, if an individual wishes notification of or access to information that may be maintained in this system during processing stages, he/she should write to the system manager at the address above and provide his/her name, SSN, and a description of the information he/she is seeking. Also, to verify identity, the individual should provide his/her address and date of birth. Disclosure of the SSN is voluntary. If an individual is unable or unwilling to provide his/her SSN, he/she should provide date and place of birth and both parents' names to enable us to attempt to locate the number so that we can use it to attempt to locate any requested records.

Record access procedures:

Same as notification procedures. Requesters should reasonably identify the information they are seeking. These procedures are in accordance with HHS regulations (45 CFR Part 5b).

Contesting record procedures:

Same as notification procedures. Requesters should reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS regulations (45 CFR Part 5b).

Record source categories:

Records in this system of records will be derived from other existing systems of records maintained by SSA for its retirement, disability, and income supplementation programs (e.g., the Master Beneficiary Record, 09-60-0090; the Supplemental Security Income Record, 09-60-0103; the Earnings Recording and Self-Employment Income System, 09-60-0059; the disability data systems, 09-60-0049 through 09-60-0051); Census survey data obtained from the Bureau of Census; Medicare records obtained from the HHS Health Care Financing Administration; and survey records from personal interviews.

Systems exempted from certain provisions of the act:

None.

09-60-0212

System name:

Supplemental Security Income Quality Initial Claims Review Process System, HHS/SSA/OA.

Security classification:

None.

System location:

Each Supplemental Security Income Analysis Branch (SSIAB) one of which is located in each of the 10 SSA Field Assessment Offices (FAO's) and Central Office in Baltimore, Maryland. See Appendix M for address information.

Categories of individuals covered by the system:

Applicants for and recipients of Supplemental Security Income (SSI) payments.

Categories of records in the system:

Information consists of the applicant's or recipient's name, social security number, date application or action is processed, payment status, type of case, and, if a deficiency is found, the type and source of the error.

Authority for maintenance of the system:

Sections 702 and 1631 of the Social Security Act.

Purpose(s):

SSA regional management uses data derived from this system to measure and rank the quality of their field offices' performance, to identify policies and procedures that are being improperly interpreted and to identify training needs. These purposes are served on a national basis through analysis of the data by the Social Security Administration Office of Assessment at central office in Baltimore, Maryland.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

To a congressional office in response to an inquiry from office made at the request of the subject of a record.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper form (e.g., case or file folders), in magnetic media (e.g., disk cartridges) and on cassette tapes.

Retrievability:

Records are indexed and retrieved numerically by Social Security number.

Safeguards:

Claims review data input forms (paper) are stored in locked file cabinets. Automated records are maintained in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." This includes maintaining the records in an enclosure attended by security guards and limiting access to the records to authorized personnel who have a need for them in the performance of their official duties. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Paper records are retained for 6 months and then destroyed by shredding. Disk cartridges and cassette tapes are retained for 12 months and then erased.

System manager(s) and address:

Director, Division of Assistance and Records Operations Quality, Office of Assessment, P.O. Box 17040, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the system manager at the above address or writing to the Field Assessment Officers listed in Appendix M. When requesting notification, individuals should provide their names and Social Security numbers. (Furnishing the Social Security number is voluntary but it will make searching for an individual's record easier and avoid delay.) These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, the individual should reasonably specify the information he/she is accessing.

Contesting record procedures:

Same as notification procedures. Also, the individual should reasonably identify the record, specify the information he/she is contesting and state the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

Information in this system is derived from an existing system maintained by SSA, the Claims Folders and Post-Adjudicative Records of Applicants for and Beneficiaries of Social Security Benefits, HHS/SSA/OOPP, 09-60-0089, and from review findings and analyses.

Systems exempted from certain provisions of the act:

None.

09–60–0213

System name:

Quality Review of Hearing/Appellate Process, HHS/SSA/OHA.

Security classification:

None.

System location:

Social Security Administration, Office of Hearings and Appeals,
3833 North Fairfax Drive, Arlington, Virginia 22203

and

Social Security Administration, Office of Systems Operations,
6401 Security Boulevard, Baltimore, Maryland 21235

Categories of individuals covered by the system:

Claimants/applicants for Social Security and Black Lung benefits and Supplemental Security Income payments; and Administrative Law Judges.

Categories of records in the system:

Records in this system consist of claimant's name and Social Security number, claim type, hearing type, administrative law judge code, case processing locations and dates, administrative law judge and Appeals Council actions, claimant demographic and diagnostic information, aspects of case handling, identifiers which determine to what sample the case belongs.

Authority for maintenance of the system:

Sections 205, 221(c), 702, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Purpose(s):

This system is used by the Office of Hearings and Appeals to analyze the handling of cases at the hearing level and in the preparation of studies and reports used to improve the hearing process.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the Internal Revenue Service, Department of the Treasury, as necessary, for the purpose of auditing the Social Security Administration's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

4. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

5. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

5. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in magnetic media (e.g., magnetic tape and disks) and in paper form.

Retrievability:

Records are retrieved by either the Social Security number and by Administrative Law Judge code.

Safeguards:

System security for this system is maintained in accordance with the HHS ADP System Manual, "Part 6, ADP System Security." SSA employees are able to access data elements only on a "need-to-know" basis. This includes maintaining the magnetic tape and disk records in an enclosure attended by security guards. Anyone entering or leaving the area must have a special badge which is issued only to personnel authorized to enter the area. All employees are instructed in Social Security Administration confidentiality rules as part of their initial orientation training. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal information.)

Retention and disposal:

Automated records are retained for a period of 10 years and then erased. The retention period for paper and card records (including source documents) are as specified in the SSA Administrative Directives Guide Retention and Disposal Schedule for records. Generally, the records may be retained from 6 months to 5 years. The records are disposed of by shredding when no longer needed.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals, 3833 North Fairfax Drive, Arlington, Virginia 22203

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the following address:

Director, Office of Appraisal, Office of Hearings and Appeals, 4040 North Fairfax Drive, Arlington, Virginia 22203.

When requesting notification, the individual should provide name, address and Social Security number. (Furnishing the Social Security number is voluntary, but it will make searching for an individual's record easier and avoid delay.)

An individual who requests notification of or access to a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a minor's medical record shall, at the time he or she makes the request, designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

The main source of data in this system is information in the system of records entitled Claim Folders system (09–60–0089). Another source of data is information furnished by claimants/applicants under the Retirement, Survivors, and Disability Insurance programs, the Supplemental Security Income program, the Black Lung program, representatives of such individuals, (where appropriate), Social Security offices, and other Federal, State, and local agencies. Data also comes from private sources.

Systems exempted from certain provisions of the act: None.

09–60–0214

System name:

Personal Identification Number File (PINFile), HHS/SSA/OA.

Security classification: None.

System location:

Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Social Security Administration (SSA) employees, some Disability Determination Services (DDS) employees, Health Care Financing Administration (HFCA) employees, carriers and intermediaries.

Categories of records in the system:

Timekeeper number, name of employee (first 3 letters of last name), Social Security number, personal identification numbers and passwords for validation purposes, function code, concentrator service area and access profile information.

Authority for maintenance of the system:

Section 205(a) of the Social Security Act and 5 U.S.C. 552a(e)(10).

Purpose(s):

The PinFile is used to limit access to computer based SSA information resources to specific individuals and to specific transactions. Its purpose is to minimize the risk of unauthorized access to SSA's files of personal data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deem desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose of which the records were collected.

Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

SSA maintains records in the PINFile on magnetic disk as part of the data communication system. The disk file is written to tape daily for backup purposes.

Retrievability:

SSA retrieves records from the PINFile by name, social security number, personal identification number, and timekeeper number.

Safeguards:

Steps to minimize the unauthorized use of the PINFile include: (1) Limiting access to data on file to regional and security officers and the SSA component systems security officers and (2) monitoring additions, deletions, and changes to the PINFile through daily reports.

Retention and disposal:

Disk files are permanent; the magnetic tape backup file maintained 7 operational days and then erased.

System manager(s) and address:

SSA Systems Security Officer, Social Security Administration, 6401 Security Boulevard, Room 1–0–25 Operations Building, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record pertaining to him or her by writing to the system manager at the address shown above and provide his or her Social Security number. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

SSA obtains information in the PINFile from the individuals, their supervisors, and from SSA time and attendance files.

Systems exempted from certain provisions of the act:

None.

09–60–0216

System name:

Indochina Refugee Data System, HHS/SSA/ORR.

Security classification:

None.

System location:

Social Security Administration, Office of Refugee Resettlement, Room 1229 Switzer Building, 330 C Street SW, Washington, D.C. 20201

Department of State, R/POAR SA–2, Room 500, 515 22nd Street NW, Washington, D.C. 20520

and

Red Cross Refugee Locator Service, 4th Floor, 18th and D Streets NW, Washington, D.C. 20006

Categories of individuals covered by the system:

Individuals who are refugees from Indochina as defined in the authorizing legislation.

Categories of records in the system:

Information in this system consists of the names of refugees, their identification numbers (ID), Immigration and Naturalization Service (INS) alien number, age, sex, English ability, marital and family status, education, occupational skills, health status, and administrative data (e.g., arrival date, voluntary resettlement agency, destination), and HHS refugee financial assistance data.

Authority for maintenance of the system:

The Refugee Act of 1980, 94 Stat. 109 (8 U.S.C. 1521 et seq.).

Purpose(s):

Information in this system is used by the Social Security Administration (SAA) Office of Refugee Resettlement to administer the refugee program, including the development of statistical and other studies to facilitate program and policy analysis, evaluation, legislative recommendations, and to meet statutory reporting requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

3. To the appropriate Federal, State or local agency responsible for investigating or prosecuting a violation or potential violation of civil, criminal or regulatory law, or responsible for enforcing or implementing a statute, regulation, rule or order which has been violated.

4. To the Department of Justice for the purpose of obtaining its advice in determining whether particular records are required to be disclosed under the Freedom of Information Act.

5. To a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records if needed to obtain a record relevant to an agency decision concerning the:

(a) Hiring or retention of an employee;
(b) Issuance of a security clearance;
(c) Letting of a contract; or
(d) Issuance of a license, grant or other benefit.

6. To a Federal agency, upon request, in connection with:

(a) Hiring or retention of an employee;
(b) Issuance of a security clearance;
(c) Letting of a contract; or
(d) Issuance of a license, grant or other benefit to the extent that the record is relevant and necessary.

7. To Federal agencies having the power to subpoena other Federal agencies' records when a subpoena is issued to HHS/SSA for records in this system of records.

8. To a contractor for the purpose of collating, analyzing, aggregating or otherwise refining records in the system of records. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

9. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

10. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in electromagnetic form (disk and tape) and in hard copy form.

Retrievability:

Records concerning refugees are indexed by "A" (alien) number.

Safeguards:

Hardcopy records are maintained in limited access space. Computer records are maintained in accordance with the HHS Automated Data Processing Manual, "Part 6, ADP System Security." This includes restricting access to the records to computer records to authorized operating personnel who require the information contained in the record to perform assigned duties. Also, all employees periodically are briefed on Privacy Act requirements and SSA confidentiality rules. (See Appendix J to this publication for additional information relating to safeguards the Social Security Administration employs to protect personal records.)

Retention and disposal:

We maintain automated records for 10 years from date of creation, then offer them to National Archives. Printed records will be destroyed when updated information is received.

System manager(s) and address:

Director, Office of Refugee Resettlement, Social Security Administration, Room 1229 Switzer Building, 300 C Street SW, Washington, D.C. 20201.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address above and providing his or her alien number and year of birth. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the record contents being sought.

Contesting record procedures:

Same as notification procedures. Requesters also should identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification.

Record source categories:

Information is obtained from the Department of State, the Intergovernmental Committee for Migration, national voluntary resettlement agencies, the Inter-Agency Task Force (through December 31, 1975), State welfare agencies, the Immigration and Naturalization Service, the Center for Disease Control and the American Council for Voluntary Agencies.

Systems exempted from certain provisions of the act:

None.

09–60–0217

System name:

Cuban Refugee Registration Records, HHS/SSA/ORR.

Security classification:

None.

System location:

Office of Refugee Registration—Miami, 701 Southwest 27th Avenue, Miami, Florida 33135.

Categories of individuals covered by the system:

Cuban refugees who, on their own initiative, have registered at the Cuban Refugee Emergency Center in order to qualify for Federal benefits under the Cuban Refugee Program. (Registration is not required.)

Categories of records in the system:

Records in this systems consists of the individual's name, names of family members, dates and places of birth, occupation and related data.

Authority for maintenance of the system:

The Refugee Act of 1980, 94 Stat. 109 (8 U.S.C. 1521 et seq.).

Purpose(s):

Information in this system is used by the Social Security Administration Office of Refugee Resettlement to administer the refugee program, including the development of statistical and other studies to facilitate program and policy analysis, evaluation, legislative recommendations, and to meet statutory reporting requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made for routine uses as indicated below:

1. To voluntary resettlement agencies working under contract with the Federal Government in connection with possible resettlement of refugees from Miami to other locations.

2. To the Florida Division of Family Services to verify eligibility of refugee to apply for Cuban refugee assistance.

3. To State welfare, health or social services agencies to verify eligibility under the Cuban Refugee Program and to enable the State to claim Federal reimbursement for assistance provided.

4. To Federal law enforcement and security agencies, including the Federal Bureau of Investigation and the Immigration and Naturalization Service, when requested.

5. To Courts, when requested.

6. For statistical research and reporting, provided the record will be used solely as a statistical research or reporting record and is to be transferred in a form that is not individually identifiable.

7. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

8. To the Department of Justice in the event of litigation where the defendant is:

(a) The Department of Health and Human Services (HHS), any component of HHS, or any employee of HHS in his or her official capacity;

(b) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of HHS or any of its components; or

(c) Any HHS employee in his or her individual capacity where the Justice Department has agreed to represent such employee;

HHS may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

9. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its program. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

10. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are maintained on magnetic tape and punch cards.

Retrievability:

Records are retrieved by name, Center file number and alien number.

Safeguards:

Locked areas, accessible only be record and data processing personnel to record areas, or accompanied by such personnel; guard service during non-office hours. Access to the records is limited to those employees who require the information contained in the record to perform assigned duties. Safeguards are established in accordance with the HHS ADP System Manual, "Part 6, ADP System Security,"

Retention and disposal:

Records are maintained for the duration of the program. No records are destroyed at this time.

System manager(s) and address:

Director, Miami Operations, Cuban Refugee Program, P.O. Box 340188, Miami, Florida 33134.

Notification procedure:

An individual can determine if this system contains a record about him or her by contacting the system manager at the address above and provide his or her alien number. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures. Requesters also should reasonably specify the records contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures. Requesters also should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Information is derived from the individual who is the subject of record.

Systems exempted from certain provisions of the act:

None.

09–60–0218

System name:

Disability Insurance (DI) and Supplemental Security Income (SSI) Demonstration Projects and Experiments System, HHS/SSA/ORSIP.

System location:

Social Security Administration, Office of System Operations,
6401 Security Boulevard, Baltimore, Maryland 21235
Social Security Administration, Office of Research, Statistics and
International Policy, 1875 Connecticut Avenue NW,
Washington, D.C. 20009

Contractor sites: Contractor addresses may be obtained by writing to the System Manager at the address below.

Categories of individuals covered by the system:

A. Persons in sample groups of the Social Security Title II applicants, newly awarded or longer term (those on the rolls for 3–5 years) DI beneficiaries, their auxiliary beneficiaries; persons selected from State temporary DI programs; other persons who are representative payees of these persons and temporarily disabled persons (non-applicants) in comparison groups for the vocational rehabilitation (VR) demonstrations.

B. Persons in sample groups of the Social Security Title XVI SSI population who are medically determined to be drug addicted or alcoholic, mentally retarded or developmentally disabled, and representative payees of those individuals.

Categories of records in the system:

The system will maintain records which will be used for statistical and research analysis only, as well as other records which will be used to conduct program functions involving the demonstrations and experiments. Participants will be informed at the time of data collection that information obtained by survey or interview exclusively for statistical and research purposes will be protected from disclosure for other purposes to the fullest extent permissible by law.

Records in the system will consist of data relating to the following: Demographic characteristics, education, marital status, military service, dependents, family and household composition; medical history (mental and physical); medical expenses; disability characteristics and health information; living arrangements; health insurance coverage and use; medical and rehabilitation services; employment; occupation and industry classification; income; earnings and expenditures; referral to and participation in SSI and related Federal/State welfare programs; benefits received; types of cost of services under DI, SSI and related Federal/State welfare programs; reason or circumstances of closure; attitudes toward work, rehabilitation or treatment programs; impairment-related work expenses; workmen's compensation benefits; job search methods; knowledge and understanding of provisions affecting entitlement to benefits; also, for SSI projects only, driver's license and alcohol and drug use (disclosure of this information may be restricted by 21 U.S.C. 1175 and 42 U.S.C. 4582).

Authority for maintenance of the system:

Sections 222, 702, and 1110 of the Social Security Act and section 505 of Pub. L. 96–265 (the Social Security Disability Amendments of 1980).

Purpose(s):

The purpose of this system is to provide the Social Security Administration (SSA) with data necessary to carry out and evaluate demonstrations and experiments for testing alternative approaches to continuing benefit eligibility during employment and to the rehabilitation of Title II DI beneficiaries and Title XVI SSI recipients who are disabled and, to report to Congress as required by section 505 of Pub. L. 96–265 (the Social Security Disability Amendments of 1980).

Except for records collected by means of surveys or interviews for use solely for research and statistical purposes, SSA may also provide information from this system of records to other components of the Department of Health and Human Services (HHS); e.g., the Health Care Financing Administration (HCFA) for the purpose of determining eligibility for Hospital Insurance (HI) benefits or Supplemental Medical Insurance (SMI) benefits under the demonstrations and experiments and for the purpose of obtaining data from HCFA on HI and SMI utilization during the demonstrations and experiments; to State disability determination service units for the purpose of making disability determinations; and to State VR agencies for the purpose of screening DI beneficiaries for VR potential and designing and implementing a plan of VR services for accepted beneficiaries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be disclosed as indicated below:

1. With respect to any records, including those collected by means of survey or interview to be used solely for research and statistical purposes, disclosure may be made:

(a) To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

(b) To a contractor under contract to the SSA, for the performance of research and statistical activities directly related to this system of records in conducting the demonstrations and experiments and to provide a statistical data base for research studies.

2. With respect only to records that are not collected by means of surveys or interviews for use solely for research and statistical purposes, disclosure may be made:

(a) To a third party organization under contract to SSA for the performance of project management activities directly related to this system of records.

(b) To a State vocational rehabilitation agency in the State in which the disabled individual resides, for the purpose of assisting the agency in providing rehabilitation counseling and service to the individual that are necessary in carrying out the demonstrations and experiments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system may be stored in paper form (e.g., hard copy questionnaire, punch cards and computer printouts), on microfilm and in magnetic media (e.g., magnetic tape and disc).

Retrievability:

Records in this system will be indexed and retrieved by use of the Social Security number (SSN).

Safeguards:

Safeguards have been established for automated records in accordance with the HHS Automated Data Processing (ADP) System Manual, "Part 6, ADP System Security." This includes maintaining the records in a secured building, the SSA New Computer Center. Entry into the center is restricted to employees whose duties require such entry. A special pass containing the employee's photograph is issued to all personnel authorized to enter the center. The employees are required to wear the pass at all times. Marshals are stationed in the lobby of the center to ensure that only those employees authorized to enter the center do so. Manually maintained records are kept in locked cabinets or in otherwise secure areas. Access to the records is limited to those employees who require the information to perform their assigned duties. SSA employees and employees of contractors having access to the records in this system have been notified of criminal sanctions for unauthorized disclosure of information about individuals.

Contractor use of records will be restricted to performing the duties of the contract, and contractors will be required to establish adequate safeguards to protect personal information. Additionally, contractors and their employees will be subject to criminal penalties for violations of the Privacy Act.

Retention and disposal:

Magnetic tapes or other files with personal identifiers are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity. Hard copy questionnaries will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the storage medium; e.g., erasure of tapes, shredding of paper records. Records used in administering the demonstration and experimental programs will be retained indefinitely.

System manager(s) and address:

Director, Office of Research, Statistics and International Policy,
Social Security Administration, 1875 Connecticut Avenue
NW, Washington, D.C. 20009

Notification procedure:

An individual can determine if this system contains a record about him or her by writing to the system manager at the above address and providing name, address and SSN. (Furnishing the SSN is voluntary; however, it would make searching for the individual's record easier and avoid delay. An individual who is unable or unwilling to furnish his or her SSN will be required to provide other information such as date and place of birth and both parents' name to enable us to locate the record.) These procedures are in accordance with HHS Regulations, 45 CFR Part 5.

Record access procedures:

Same as notification procedures. Also, requesters should reasonably identify the record and specify the information they are attempting to obtain. These procedures are in accordance with HHS Regulations, 45 CFR Part 5.

Contesting record procedures:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations, 45 CFR Part 5.

Record source categories:

Records in this system will be derived in part from other SSA systems of records (e.g., the Claims Folder (09–60–0089) (disability case folders), the Master Beneficiary Record (09–60–0090) and the Supplemental Security Income Record (09–60–0103)); other SSA administrative records; program records of other Federal/State welfare programs; survey data collected by contractors; from the individual; the Health Insurance Master Record (09–70–0502) of the HHS, Health Care Financing Administration; case service reports of vocational rehabilitation agencies and referral and monitoring agencies; and employers.

09–60–0219

System name:

Representative Disqualification/Suspension Information System, HHS/SSA/ORSI.

System location:

Social Security Administration, Office of Retirement and Survivors Insurance, Division of Payment and Adjudicative Policy, Adjudicative Policy and Appeals Branch, 6401 Security Boulevard, Baltimore, Maryland 21235.

Categories of individuals covered by the system:

Individuals alleged to have violated the provisions of the Social Security Act and regulations relating to representation of claimant/beneficiaries before the Secretary, Health and Human Services (HHS), Social Security Administration (SSA), those found to have committed such violations and who are disqualified/suspended, and those who are investigated but not disqualified/suspended. The last category would include cases in which we find that a violation has not occurred or that a violation has occurred but we are able to resolve the matter without taking action to disqualify/suspend the representative.

Categories of records in the system:

Records in the system will consist of information such as the representative's name and address; each claimant's/ beneficiary's name, address and Social Security number; copies of all documents in the claimant's/beneficiary's file relating to representation; all documentation received as a result of SSA's investigation of alleged violations of the Social Security Act and regulations relating to representation; documentation resulting from an ALJ hearing on charges of noncompliance; and copies of the notification of disqualification/ suspension.

Authority for maintenance of the system:

Sections 206(a) and 1631(d)(2) of the Social Security Act.

Purpose(s):

Information in the system will be used to determine if a violation of the provisions of the Social Security Act and regulations relating to claimant representation has occurred and to provide timely and detailed information on cases in which disciplinary action is taken against a representative who has committed a violation. The system also will be used to assist SSA components in investigating alleged violations or enforcing disciplinary actions against a representative.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be disclosed as indicated below.

1. SSA may disclose information to a claimant/beneficiary that his/her representative has been disqualified/suspended from further representation before SSA.

2. SSA may disclose information to a claimant/beneficiary who may want to hire a disqualified/suspended individual as his/her representative that the individual has been disqualified/suspended from further representation before SSA.

3. SSA may disclose information to a State bar disciplinary authority in the State(s) in which a disqualified/suspended attorney is admitted to practice that SSA has disqualified/suspended the attorney from further representation before SSA and, upon request, further information concerning the disqualification/suspension.

4. In the event of litigation where the defendant is:

(1) HHS, any component of HHS or any employee of HHS in his/ her official capacity;

(2) The United States where HHS determines that the claim, if successful, is likely to directly affect the operations of the HHS or any of its components; or

(3) Any HHS employee in his/her individual capacity where the Department of Justice (DOJ) has agreed to represent such employee;

SSA may disclose such records as it deems desirable or necessary to DOJ to enable that department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

5. SSA may disclose information to a congressional office in response to an inquiry from that office made at the request of the subject of the record.

6. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

7. Disclosure may be to DOJ, to a court or other tribunal, or another party before such tribunal, when:

(a)SSA, or any component thereof; or

(b)Any SSA employee in his/her official capacity; or

(c)Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d)The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were disclosed.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records will be stored in paper form.

Retrievability:

Records will be retrieved from the system by the name of the representative.

Retrievability:

(ACCESS CONTROL):

Records will be maintained in locked file cabinets or in otherwise secure storage areas. Access will be restricted to SSA employees who have a need for the records in the performance of their official duties. Also, all employees having access to the records periodically are briefed on Privacy Act requirements and SSA confidentiality rules and will be notified of the criminal sanctions against unauthorized access to, or disclosure of, information in a system of records.

Retention and disposal:

Records of investigations which did not result in disqualifications/ suspensions will be retained for a period of 5 years and then destroyed by shredding. Records on disqualifications/suspensions and investigations leading to such actions will be retained indefinitely.

System manager(s) and address:

Director, Division of Payment and Adjudicative Policy, Office of Retirement and Survivors Insurance, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

Notification procedure:

An individual can determine if this system contains a record about him/her by writing to the system manager at the address above and providing his/her name and address.

Record access procedures:

Same as notification procedures. Also, individuals requesting access should reasonably identify the record and specify the information they are attempting to obtain. These procedures are in accordance with HHS regulations 45 CFR Part 5.

Contesting record procedures:

Same as notification procedures. Also, individuals contesting a record in the system should identify the record, specify the information they are contesting, state the corrective action sought and the reasons for the corrections with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5.

Record source categories:

Records in this system will be derived from existing systems of records maintained by SSA (e.g., the Claims Folder System, 09-60-0089) which contain information relating to representation; documentation received as a result of investigations of alleged violations of the representation provisions of the Social Security Act and regulations; documentation resulting from ALJs' hearings on charges of noncompliance; and documentation resulting from notifications of disciplinary actions.

Systems exempted from certain provisions of the act:

None.

09-60-0220

System name:

Kentucky Birth Records System, HHS/SSA/DO(Ky).

Security classification:

None.

System location:

Social Security district and branch offices located in the State of Kentucky. Individuals should consult Kentucky telephone directories for address and telephone information.

Categories of individuals covered by the system:

Members of the general public whose birth records have been registered in the State of Kentucky.

Categories of records in the system:

The system consists of an index of Kentucky birth records. Included on the index are the individual's name, mother's maiden name, date and place of birth, certificate number and volume number of the index.

Authority for maintenance of the system:

Section 205 of the Social Security Act.

Purpose(s):

Information in the system will be used by Social Security Administration (SSA) offices in the State of Kentucky to provide evidentiary proof of age and other facts about individuals applying for various Social Security benefits, Supplemental Security Income payments and Social Security numbers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made as routine uses as indicated below:

1. To a Congressional office in response to an inquiry from that office made at the request of the subject of a record.

2. To the Department of Justice (DOJ), to a court or other tribunal, or to another party before such tribunal, when:

(a) The Department of Health and Human Services (HHS)/SSA, or any component thereof; or

(b) Any HHS/SSA employee in his/her official capacity; or

(c) Any HHS/SSA employee in his/her individual capacity where DOJ (or HHS/SSA where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS/SSA determines that the litigation is likely to affect the operations of HHS/SSA or any of its components.

Is a party to litigation or has an interest in such litigation, and HHS/SSA determines that the use of such records by DOJ, the tribunal, or the other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, HHS/SSA determines that such disclosure is compatible with the purpose for which the records were collected.

3. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records will be stored on microfilm.

Retrievability:

Records will be retrieved by the individuals's name and other identifying information (e.g., mother's name and date of birth).

Safeguards:

Access to records in the system will be restricted to personnel who need them in the performance of their official duties. Also, the information will be maintained in the secured facilities and kept from access by unauthorized individuals (e.g., stored in locked filing cabinets) when not in use.

Retention and disposal:

Records in the system will be updated biennially. Out-of-date microfilm records will be disposed of by the application of heat.

System manager(s) and address:

Managers of Social Security district/branch offices in the State of Kentucky. Individuals seeking office addresses and telephone numbers should consult Kentucky telephone directories.

Notification procedure:

An individual wishing to find out if this system of records contains information about him/her may do so by contacting any Social Security office and furnishing his/her name, date and place of birth and mother's maiden name. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record access procedures:

Same as notification procedures above. Also, individuals requesting access to their records should reasonably describe the records they are seeking. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Contesting record procedures:

Same as notification procedures above. Also, individuals contesting the contents of records in the system should reasonably describe the records, specify the information they are contesting and state the corrective action sought with supporting justification showing how the records are untimely, incomplete, in inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR Part 5b.

Record source categories:

Records in the system will be obtained from the Kentucky Office of Vital Statistics.

Systems exempted from certain provisions of the act:

None.

Appendix A—Retirement and Survivors Insurance Claims

1. Determining Appropriate Office to Contact

Records relating to Retirement and Survivor Insurance claims are a maintained primarily in six Program Service Centers throughout the country. The responsibility for the payment of benefits and the maintenance of records relating to claims is assigned to each office according to the first three digits of the Social Security number (SSN).

If the only individual entitled to Survivor's monthly benefits on one claim account number (the SSN plus an alphabetic code) also is entitled to a Retirement benefit on another claim account number, the office which is assigned the responsibility for the Retirement benefit claim also handles the Survivor claim. If the only individual on the record is entitled to a Survivor's benefit which has been reduced because the survivor is under age 59, and the individual also is entitled to a Disability benefit (which is larger), on another record, the Office of Disability Operations certifies the payments and maintains both records (see Appendix B.1 below). The Office of Disability Operations also is responsible for payment certification and record maintenance if the only survivor on a record is entitled as a childhood disability beneficiary and the survivor also is entitled to a Disability Insurance benefit on another record.

In addition, when one of the individuals in the record resides outside the United States or its possession, the responsibility for the payment certification and record maintenance is assigned to the Division of International Operations without reference to the Social Security claim account number or the type of benefit. For information relating to these claims, individuals should contact the following address: Social Security Administration, Office of Central Operations, Division of International Operations, P.O. Box 1756, 6401 Security Boulevard, Baltimore, Maryland 21235.

With the exceptions noted above, the appropriate Program Service Center to contact can be determined by checking the first three (left side) digits of the Social Security number and comparing it to the chart below. For example, if the first three digits are 076, the appropriate Program Service Center to contact will be the Northeastern Program Service Center; similarly, if the first three digits were 437, the appropriate office would be Mid-America Program Service Center, and if they are 728, the appropriate office would be the Great Lakes Program Service Center.

If the first three digits fall within the range of:

001–134	contact the Northeastern Program Service Center
135–222	contact the Mid-Atlantic Program Service Center
223–231	contact the Southeastern Program Service Center
232–236	contact the Mid-Atlantic Program Service Center
237–267	contact the Southeastern Program Service Center
268–302	contact the Great Lakes Program Service Center
303–315	contact the Mid-America Program Service Center
316–399	contact the Great Lakes Program Service Center
400–428	contact the Southeastern Program Service Center
429–500	contact the Mid-America Program Service Center
501–504	contact the Western Program Service Center
505–515	contact the Mid-America Program Service Center
516–524	contact the Western Program Service Center
525	contact the Mid-America Program Service Center
526–576	contact the Western Program Service Center
577–584	contact the Mid-Atlantic Program Service Center
585	contact the Mid-America Program Service Center
586	contact the Western Program Service Center
587	contact the Southeastern Program Service Center
700–729	contact the Great Lakes Program Service Center

2. Office Addresses

Director, Northeastern Program Service Center, 96-05 Horace Harding Expressway, Flushing, New York 11368
Director, Mid-Atlantic Program Service Center, 300 Spring Garden Street, Philadelphia, Pennsylvania 19123
Director, Southeastern Program Service Center, 2001 Twelth Avenue, North, Birmingham, Alabama 35285
Director, Great Lakes Program Service Center, 600 West Madison, Chicago, Illinois 60606
Director, Mid-America Program Service Center, 601 East Twelth Street, Kansas City, Missouri 64106
Director, Western Program Service Center, 1221 Nevin Avenue, Richmond, California 94802
Social Security Administration, Office of Central Operations, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203
and
Social Security Administration, Office of Disability Operations, 1500 Woodlawn Drive, Baltimore, Maryland 21241.

3. Office Hours

Northeastern Program Service Center, 7:00-5:30
Mid-Atlantic Program Service Center, 7:00-5:30
Southeastern Program Service Center, 7:00-5:00
Great Lakes Program Service Center, 7:00-5:30
Mid-America Program Service Center, 7:00-5:00
Western Program Service Center, 6:45-4:30
Office of Central Operations, 7:00-5:30

Appendix B—Disability Insurance Claims

1. Central Office Reviewing Address

Records relating to Disability Insurance claims are maintained primarily by the: Social Security Administration, Office of Central Operations, Office of Disability Operations, 1500 Woodlawn Drive, Baltimore, Maryland 21241.

When the disabled individual is age 59 or older, the claim record generally is maintained in a Program Service Center (see Appendix A for address information).

When one of the individuals in the claim resides outside the United States, or any of its possessions, the record is maintained by the Division of International Operations at the following address: Social Security Administration, Division of International Operations, P.O. Box 1756, Baltimore, Maryland 21203.

2. Related State Office Addresses

The Disability Insurance claims files may be temporarily transferred to State Disability Determination Services for initial or continuing disability determinations to be made. Vocational Rehabilitation Agencies in the States may also be involved with a disability claim from the training aspects. Individuals should contact agencies at the following addresses:

Alabama
State Department of Education, Division of Disability Determinations, Clairmont Office Plaza, 2800 8th Avenue, South, Birmingham, Alabama 35233.

Alaska
Disability Determinations Unit, Office of Vocational Rehabilitation, 4100 Spenard Road, Suite A, Anchorage, Alaska 99503.

Arkansas
Disability Determination for Social Security Administration, 701 Pulaski Street, 2nd Floor, Little Rock, Arkansas 72201.

California
Disability Evaluation Branch, 1414 K Street, Sacramento, California 95814.

Colorado
Department of Social Services, Division of Rehabilitation, Disability Determination Unit, 2121 Onieda Street, Denver, Colorado.

Connecticut
Division of Vocational Rehabilitation, Bureau of Disability Determination, 600 Asylum Avenue, 2nd Floor, Hartford, Connecticut 06105.

Delaware
Disability Determine Service, State Office Building, 820 North French Street, Wilmington, Delaware 19801.

District of Columbia
Disability Determination Division, Vocational Rehabilitation Administration, Department of Human Resources, 1411 K Street, NW, 13th Floor, Washington, D.C. 20005.

Florida
Office of Disability Determination, Department of Health and Rehabilitation Services, 2600 Blair Stone Road, Room 350-B, Tallahassee, Florida 32301.

Georgia
Division of Vocational Rehabilitation, Disability Adjudication Section, Decatur Building, Suite 300, 200 Swanton Way, Decatur, Georgia 30089.

Guam
Division of Vocational Rehabilitation, 414 West Solodad Avenue, Agana, Guam 96910.

Hawaii
Disability Determination Branch, Vocational Rehabilitation and Service for the Blind Division, Kapiolani Commercial Center, Suite 660, 1580 Makaloa Street, Honolulu, Hawaii 96814.

Idaho
Disability Determination, 1505 McKinney, Boise, Idaho 83704.

Illinois
Division of Vocation Rehabilitation, Disability Determination Service, P.O. Box 3842, Springfield, Illinois 62708.

Indiana
Disability Determination Division, P.O. Box 7069, Indianapolis, Indiana 46207.

Iowa
Rehabilitation Education and Services Branch, Disability Determination Division, 510 East 12th Street, Des Moines, Iowa 50319.

Kansas
Disability Determination Services, Division of Vocational Rehabilitation, 2036 S.E. 30th Street, Topeka, Kansas 66605.

Kentucky
Department of Human Resources, Bureau for Social Insurance, Division for Disability Determination, P.O. Box 1000, Frankfort, Kentucky 40602.

Louisiana
Disability Determination, 530 Lakeland Drive, Baton Rouge, Louisiana 70802.

Maine
Disability Determination, Capitol Shopping Center, Western Avenue, 2nd Floor, Augusta, Maine 04330.

Maryland
Disability Determination Services, Division of Vocational Rehabilitation, P.O. Box 17011, Baltimore, Maryland 21203.

Massachusetts
Massachusetts Rehabilitation Commission, Disability Determination Service, 6 Hamilton Place, Boston, Massachusetts 02108.

Michigan
Disability Determination Service, P.O. Box 30011, Lansing, Michigan 48909.

Minnesota
Disability Determinations Unit, Division of Vocation Rehabilitation, Metro Square Building, Suite 460, Seventh and Roberts Streets, St. Paul, Minnesota 55101.

Mississippi
Disability Determination Unit, State Department of Education, P.O. Box 1271, Jackson, Mississippi 39205.

Missouri
Disability Determination Service, 2401 East McCarty, Jefferson City, Missouri 65101.

Montana
Disability Determination Bureau, Rehabilitative Services Division, P.O. Box 4189, Helena, Montana 59601.

Nebraska
Disability Determination Services, 6th Floor, State Office Building, 301 Centennial Mall, South, Lincoln, Nebraska 68508.

Nevada
Bureau of Disability Adjudication, Rehabilitation Division, 505 East King Street, State Capital Complex, Room 403, Carson City, Nevada 89710.

New Hampshire
Disability Determination Unit, Vocational Rehabilitation Division, P.O. Box 452, Concord, New Hampshire 03301.

New Jersey
Division of Disability Determinations, Department of Labor and Industry, P.O. Box 649, Newark, New Jersey 07101.

New Mexico
Disability Determination Unit, P.O. Box 4588, Albuquerque, New Mexico 87196.

New York
Bureau of Disability Determination, State Department of Social Services, 110 William Street, New York, New York 10038.

North Carolina
Disability Determination Section, Division of Social Services, P.O. Box 243, Raleigh, North Carolina 27602.

North Dakota
Disability Determination Section, Division of Vocational Rehabilitation, Russel Building, RR#1, Highway 83 North, Bismarck, North Dakota 58505.

Ohio
Bureau of Disability Determination, Rehabilitation Services Commission, 4574 Heaton Road, Columbia, Ohio 43229.

Oklahoma

Department of Institutions, Social and Rehabilitative Services, Attention: Disability Insurance Unit, P.O. Box 25352, Oklahoma City, Oklahoma 73125.

Oregon

Vocational Rehabilitation Division, Disability Determination Services, 2045 Silverton Road, N.E., Salem, Oregon 97310.

Pennsylvania

Bureau of Vocational Rehabilitation, Disability Determination Division, 1310—12 North 12th Street, Harrisburg, Pennsylvania 17120.

Puerto Rico

Disability Determination Program, Call Box 71301, San Juan, Puerto Rico 00936.

Rhode Island

Vocational Rehabilitation Services, Disability Determination Unit, 24 Mason Street, Providence, Rhode Island 02903.

South Carolina

Disability Determination Division, South Carolina Vocational Rehabilitation Department, P.O. Box 4945, Columbia, South Carolina 29240.

South Carolina Commissioner for the Blind, 1430 Confederate Avenue, Columbia, South Carolina 29201.

South Dakota

Disability Determining Service, Division of Vocational Rehabilitation, P.O. Box 1029, Sioux Falls, South Dakota 57101.

Tennessee

Disability Determination Section, Division of Vocational Rehabilitation, 1808 West End Avenue, 9th Floor, Nashville, Tennessee 37203.

Texas

Texas Rehabilitation Commission, Division of Disability Determination, P.O. Box 2913, Austin, Texas 78769.

Utah

Disability Determination Services, Division of Rehabilitation Service, Utah State Board of Education, P.O. Box 550, Salt Lake City, Utah 84110.

Vermont

Disability Determination Agency, 103 South Main Street, Waterbury, Vermont 05676.

Virgin Islands

Disability Representative, HHS/SSA Federal Building, 26 Veterans Drive, Room 113, St. Thomas, Virgin Islands 00801.

Virginia

Disability Determination Division, Virginia Department of Vocational Rehabilitation, 4900 Fitzhugh Avenue, Richmond, Virginia 23230.

Washington

Office of Disability Insurance, P.O. Box 9303 M.S. LN—11, Olympia, Washington 98504.

West Virginia

Disability Determination Services, Vocational Rehabilitation Division, Mason Building, Second Floor, 1206 Quarrier Street, Charleston, West Virginia 25301.

Wisconsin

Bureau of Social Security Disability Insurance, P.O. Box 7623, Madison, Wisconsin 53707.

Wyoming

Disability Determination Services, Division of Vocational Rehabilitation, 611 West 29th Street, Cheyenne, Wyoming 82001.

Appendix C—Regional Offices Addresses

1. Office of the Regional Commissioner

Boston Region: Connecticut, Maine, Massachusets, New Hampshire, Rhode Island, Vermont

Room 1100, John F. Kennedy Federal Building, Government Center, Boston Massachusets 02203

New York Region: New Jersey, New York, Puerto Rico, Virgin Islands

Room 4033, Federal Building, 26 Federal Plaza, New York, New York 10278

Philadelphia Region: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

3535 Market Street, Philadelphia, Pennsylvania 19104

Atlanta Region: Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Tower, Suite 2001, Atlanta, Georgia 30301

Chicago Region: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive, 27th Floor, Chicago, Illinois 60606

Dallas Region: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Building, Room 2555, Dallas, Texas 75202

Kansas City Region: Iowa, Kansas, Missouri, Nebraska

Federal Office Building, 601 East 12th Street, Room 436, Kansas City, Missouri 64106

Denver Region: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, 1961 Stout Street, Room 876, Denver, Colorado 80294

San Francisco Region: American Somoa, Arizona, California, Guam, Hawaii, Nevada, Northern Marianna Islands

100 Van Ness Avenue, 28th Floor, San Francisco, California 94102

Seattle Region: Alaska, Idaho, Oregon, Washington

Arcade Plaza Building, M/S 201, 1321 Second Avenue, Seattle, Washington 98101

2. Assistant Regional Commissioner, Programs

Boston Region: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building Government Center, Boston, Massachusetts 02203

New York Region: New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza, New York, New York 10278

Philadelphia Region: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

3535 Market Street, Philadelphia, Pennsylvania 19104

Atlanta Region: Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Tower, Suite 2001, P.O. Box 1684, Atlanta, Georgia 30301

Chicago Region: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive, Chicago, Illinois 60606

Dallas Region: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Building, Room 2140, Dallas, Texas 75202

Kansas City Region: Iowa, Kansas, Missouri, Nebraska

Federal Office Building, 601 East 12th Street, Room 436, Kansas City, Missouri 64106

Denver Region: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, 1961 Stout Street, Denver, Colorado 80294

San Francisco Region: American Somoa, Arizona, California, Guam, Hawaii, Nevada, Northern Marianna Islands

100 Van Ness Avenue, 24th Floor, San Francisco, California 94102

Seattle Region: Alaska, Idaho, Oregon, Washington

Arcade Plaza Building, M/S 204, 1321 Second Avenue, Seattle, Washington 98101

3. Assistant Regional Commissioner, Field Operations

Boston Region: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building, Government Center, Room 1109, Boston, Massachusetts 02203, Officer Hours—8:30-5:00

New York Region: New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza, Room 745, New York, New York 10278, Office Hours—8:30-5:00

Philadelphia Region: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

3535 Market Street, P.O. Box 8788, Philadelphia, Pennsylvania 19101, Office Hours—8:00-4:30

Atlanta Region: Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Tower, Suite 2001, P.O. Box 1684, Atlanta, Georgia 30301, Office Hours—8:00-4:30

Chicago Region: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive, 28th Floor, Chicago, Illinois 60606

Dallas Region: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Bldg., Room 2555, Dallas, Texas 75202, Office Hours—8:00-4:30

Kansas City Region: Iowa, Kansas, Missouri, Nebraska

New Federal Office Building, 601 East 12th Street, Kansas City, Missouri 64106, Office Hours—8:00-4:30

Denver Region: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, 1961 Stout Street, Room 9017, Denver, Colorado 80294, Office Hours—8:00-4:30

San Francisco Region: American Samoa, Arizona, California, Guam, Hawaii, Nevada, Northern Marianna Islands

100 Van Ness Avenue, 28th Floor, San Francisco, California 94102, Office Hours—8:00–4:30

Seattle Region: Alaska, Idaho, Oregon, Washington

Room 6027, Arcade Plaza Building, MS 205, 1321 Second Avenue, Seattle, Washington 98101, Office Hours—8:00–4:30

Appendix D—Supplemental Security Income Claims

1. Addresses for Records

Supplemental Security Income (SSI) claims records are maintained in Social Security district and branch offices until a decision has been made regarding eligibility (Appendix F.1 contains information relating to addresses and telephone numbers for district and branch offices). If payment has been awarded, or the appeals period has closed on claims with unfavorable determinations, the claims records are sent to the following locations.

Claims for SSI benefits are maintained in the Chicago Federal Archives Records Center. Access to those claims based on age may be made through a Program Service Center (see Appendix A for address information), or through a district/branch office (see Appendix F.1 for address information).

Access to claims for benefits based on disability or blindness may be made through the Office of Disability Operations (see Appendix B.1 for address information), or through a district or branch office (see Appendix F.1 for address information).

2. Exchange of Information Between the Social Security Administration and the States

Information exchanged between the Social Security Administration and the States because of the State Supplementation and Medicaid provisions of the Supplemental Security Income program is maintained at the following State Departments of Public Welfare Agency addresses:

Alabama

Commissioner, Alabama Medicaid Agency, 2500 Fairlane Dr., Executive Park, Montgomery, Alabama 36130.

Alaska

Commissioner, Department of Health and Social Services, Pouch H-01 Main St., Juneau, Alaska 99801.

Arizona

Director, Arizona Dept. of Economic Security, P.O. Box 6123, Phoenix, Arizona 85005.

Arkansas

Director, Capital Mall, Welfare-ESD Building, Little Rock, Arkansas 72203.

California

Director, Dept. of Benefit Payments, Tape Library, MS 10–77, 744 P Street, Sacramento, California 95814.

Colorado

Director, Department of Social Services, 1575 Sherman Street, Room 301, Denver, Colorado 80203.

Connecticut

Director, Connecticut State Welfare Dept., Systems and Information, Attn: Control Section Chief, 110 Bartholomew Ave., Hartford, Connecticut 06115.

Delaware

Director, Administrator Payments Section, Division of Business Adm. and General Services, State Hospital Adm. Bldg., Third Floor Annex, New Castle, Delaware 19720.

District of Columbia

Director, Dept. of Human Resources, Automatic Data Processing Div., 801 N. Capitol Street, NE, Room 627, Washington, D.C. 20001.

Florida

Deputy Assistant Secretary for Medicaid, Department of Health and Rehabilitative Services, 1317 Winewood Boulevard, Tallahasse, Florida 32301.

Georgia

Commissioner, Department of Medical Assistance, 1010 West Peachtree Street, NW, Atlanta, Georgia 30309.

Hawaii

Director, Department of Social Services, P.O. Box 339, Honolulu, Hawaii 96809.

Idaho

Director, Department of Health and Welfare, 450 W. State Street, Towers Building, Boise, Idaho 83720.

Illinois

Director, Illinois Department of Public Aid, 316 S. Second Street, Springfield, Illinois 62762.

Indiana

Administrator, Department of Public Welfare, State Office Building, Room 701, 100 North Senate Avenue, Indianapolis, Indiana 46204.

Iowa

Commissioner, Iowa Department of Social Services, 5th Floor, Hoover Building, Des Moines, Iowa 50319.

Kansas

Secretary, Department of Social and Rehabilitation Service, 6th Floor, State Office Building, State Office Bldg., Topeka, Kansas 66612.

Kentucky

Commissioner, Bureau of Social Insurance, Department of Human Resources, 275 E. Main Street, Frankfort, Kentucky 40601.

Louisiana

Director, State of Louisiana, Div. of Income Maintenance, P.O. Box 44065, Baton Rouge, Louisiana 70804.

Maine

Director, Div. of Data Processing, Dept. of Health and Welfare, 221 State Street, Augusta, Maine 04330.

Maryland

Director, Dept. of Employ and Soc. Serv., Div. of Data Processing, 1100 North Eutaw Street, Room 301, Baltimore, Maryland 21201.

Massachusetts

Director, Executive Office of Human Services, Information Systems and Services, Computer Center, Room 801, 1 Ashburton Place, Boston, Massachusets 02108.

Director, Mass. Comm. For The Blind, 110 Tremont Street, Boston, Massachusetts 02108.

Michigan

Director, Department of Social Services, P.O. Box 30037, 300 South Capitol Avenue, Lansing, Michigan 48933.

Minnesota

Director, Department of Public Welfare, Centennial Office Building, 658 Ceder Street, St. Paul, Minnesota 55101.

Mississippi

Director, Mississippi Medicaid Commission, P.O. Box 16786, Jackson, Mississippi 39206.

Missouri

Director, Department of Social Services, P.O. Box 1527, Broadway State Office Bldg., Jefferson City, Missouri 65102.

Montana

Director, Social and Rehabilitation Services, Office of Management and Budget, Box 1723, Helena, Montana 59601.

Nebraska

Director, Department of Public Welfare, 5th Floor, State Office Building, 301 Centennial Mall, South, Lincoln, Nebraska 68509.

Nevada

Director, Nevada State Department of Welfare, 251 Jeanell, Carson City, Nevada 89701.

New Hampshire

Director, State of New Hampshire, Department of Health and Welfare, Division of Welfare, Claims Processing Unit, Hazen Drive, Concord, New Hampshire 03301.

New Jersey

Director, Blue Cross-Blue Shield, Systems Division Tech Services, 2nd Floor, 33 Washington Street, Newark, New Jersey 07102.

New Mexico

Secretary, New Mexico Human Services Department, Income Support Division, P.O. Box 2348, Santa Fe, New Mexico 87503.

New York

Director, New York State, Department of Social Services, Income Maintenance Section, 1450 Western Avenue, Albany, New York 12203.

North Carolina

Director, Division of Medical Assistance, Department of Human Resources, 336 Fayetteville Street, Mall, Raleigh, North Carolina 27601.

North Dakota

Social Services Board, Capitol Grounds, Capital Building, 16th Floor, Bismarck, North Dakota 58501.

Ohio

Director, Ohio Department of Public Welfare, State Office Tower, 32nd Floor, 30 East Broad Street, Columbus, Ohio 43215.

Oklahoma

Director, Department of Institutions, Social and Rehabilitation Services, Management Information Division, P.O. Box 25352, Oklahoma City, Oklahoma 73125.

Oregon

Administrator, Adult and Family Services Division, Department of Human Services, 417 Public Service Building, Salem, Oregon 97310.

Pennsylvania

Director, Bureau of Policy, Office of Income Maintenance, Health and Welfare Building, 6th and Forster Streets, Room 103, Harrisburg, Pennsylvania 17120.

Rhode Island

Director, Aime J. Forand Building, 600 New London Avenue, Cranston, Rhode Island 02920.

South Carolina

Executive Assistant, Office of Health Care Financing, Department of Social Services, P.O. Box 1520, Columbia, South Carolina 29202.

South Dakota

Director, State Department of Social Services, Division of Social Welfare, State Office Building No. 1, Pierre, South Dakota 57501.

Tennessee

Director, Division of Medicaid, Department of Public Health, 283 Plus Park Boulevard, Nashville, Tennessee 37217.

Texas

Commissioner, Texas Department of Public Welfare, 854–V, P.O. Box 2960, Austin, Texas 78769.

Utah

Director, Office of Administrative Services, EDP and Systems, 231 East 4th South, Empire Building, Salt Lake City, Utah 84111.

Vermont

AABD/ANFC Director, Department of Social Welfare, 4 East State Street, Montpelier, Vermont 05602.

Virginia

Director, Bureau of Data Systems, Data Proc. Oper. Section, Room 107 Ratcliffe Bldg., 1602 Rolling Hills Drive, Richmond, Virginia 23288.

Washington

Secretary, Department of Social and Health Services, M/S OB–44, Olympia, Washington 98504.

West Virginia

Director, State of West Virginia Department of Welfare, State Office Building No. 6, 1900 East Washington Street, Charleston, West Virginia 25305.

Wisconsin

Secretary, Department of Health and Social Services, 1 West Wilson Street, Room 341, Madison, Wisconsin 53702.

Wyoming

Director of Finance and Accounting, Department of Health and Social Services, State Office Building West, Cheyenne, Wyoming 82002.

Appendix E—Federal Coal Mine Health and Safety Act Claims (Black Lung)

Black Lung records are maintained at the following location: Social Security Administration, Office of Central Operations, Office of Disability Operations, 1500 Woodlawn Drive, Baltimore, Maryland 21241, Office hours: 8:20 am–4:50 pm.

Appendix F—Social Security Administration Field Operations Addresses

1. Social Security District and Branch Offices

The addresses and telephone numbers of Social Security district and branch offices may be found listed in local telephone directories under Social Security Administration or under United States Government, Department of Health and Human Services, Social Security Administration.

Office Hours—varied.

2. Assistant Regional Commissioner Field Operations, Addresses

See Appendix C.3 for address information.

3. Teleservice Centers

Atlanta

P.O. Box 54655, Sixth Floor, 730 Peachtree Street, NE, Atlanta, Georgia 30308.

Berkeley

2000 Center Street, Room 420, Berkeley, California 94704.

Boston

Rm. 1609, 100 Summer St., Boston, Massachusetts 02110.

Chicago

4916 W. Belmont, Chicago, Illinois 60641

and

2211 W. 95th Street, Chicago, Illinois 60643

Cincinnati

P.O. Box 41905, 4050 Executive Park Drive, Cincinnati, Ohio 45241.

Cleveland

11901 Berea Road, P.O. Box 41905, Cleveland, Ohio 44111.

Des Moines

Room 965, Federal Building, 210 Walnut Street, Des Moine, Iowa 50309.

Detroit

17227 W. Seven Mile Road, Detroit, Michigan 48235.

Ft. Lauderdale

299 E. Broward Blvd., Federal Bldg., Room 410, Ft. Lauderdale, Florida 33310.

Houston

6900 Fannin, Sutie 700, Fannin-Holcombe Building, Houston, Texas 77005.

Grand Prairie

729 Dalworth, Grand Prairie, Texas 75050.

Indianapolis

575 N. Pennsylvania Street, Indianapolis, Indiana 46204.

Jamaica

90–15–17 Sulphin Boulevard, Jamaica, New York 11435.

Jersey City

30 Montgomery Street, Jersey City, New Jersey 07303.

Kansas

Room 2800 Federal Bldg., 911 Walnut Street, Kansas City, Missouri 64106.

Laurel

9703 Fort Meade Road, Route 198, Laurel, Maryland 20810.

Los Angeles

3250 Wilshire Boulevard, Room 350, Los Angeles, California 90010.

New Orleans

31st Floor, Plaza Towers, 1001 Howard Avenue, New Orleans, Louisiana 70113.

Lodi

2nd Floor, Merchants Mall, #1 South Main Street, Lodi, New Jersey 07644.

Minneapolis

University Park Plaza Building, Suite 642, 2829 University Avenue, SE, Minneapolis, Minnesota 55414.

Phoenix

3424 North Central Avenue, P.O. Box 7370, Phoenix, Arizona 85011.

Pittsburgh

Room 1000 Park Building, 355 Fifth Avenue, Pittsburgh, Pennsylvania 15222.

Portland

610 SW Alder Street, Room 322, Portland, Oregon 97205.

Parlin

Mine Mall, II, P.O. Box 494 Ernston Station, Parlin, New Jersey 08859.

St. Louis

Building 105F, 2nd Floor, 4300 Goodfellow Boulevard, St. Louis, Missouri 63120.

Tampa

700 Twigg Street, P.O. Box 30, Tampa, Florida 33601.

Upper Darby

6801 Ludlow Street, 2nd Floor, Upper Darby, Pennsylvania 19082

San Diego

P.O. Box A1311, 880 Front Street, San Diego, California 92112.

Seattle

4735 E. Marginal Way South, Seattle, Washington 98134.

Appendix G—Office of Hearings and Appeals Address

I. The Social Security Administration Office of Hearings and Appeals is charged with the responsibility for making decisions on appeals taken above the reconsideration level by claimants for Retirement, Survivors and Disability Insurance benefits, Supplemental Security Income payments, Medicare, or Black Lung benefits.

Files for cases awaiting action by the Appeals Council based on the claimants' request for Council review and records of hearings decisions by Administrative Law Judges are maintained at the Office headquarters. The address is: Office of Hearings and Appeals, 801 North Randolph Street, Arlington, Virginia 22203.

Files for cases awaiting hearings or decisions by Administrative Law Judges based on requests for a hearing submitted by claimants are maintained in the appropriate hearing office.

The selection of the hearing office is based on the Region and Social Security district or branch office service area in which the appellant claimant lives. The Regions, the addresses of the Administrative Law Judges and the Social Security district or branch office service areas from which the Judges accept cases are:

A. In the Boston Region

1. If the individual lives in the following district or (branch) office service area:

Massachusetts: Boston (Brookline), Brockton (Hanover); Cambridge, Chelsea, Fitchburg (Gardner), Framingham, Haverhill, Lawrence, Lowell, Lynn, Malden, Norwood, Quincy, Roxbury (Dorchester); (Roslindale); Salem, Waltham, Worcester.

The address is: 9th Floor, 55 Summer Street, Boston, Massachusetts 02110.

2. If the individual lives in the following district or (branch) office service area:

Connecticut: Hartford (East Hartford); Meriden (Middletown); New Briton (Bristol); New London (Norwich); Torrington; Waterbury; Willimantic.

The address is: Room 331, 135 High Street, Hartford, Connecticut 06103.

3. If the individual lives in the following district or (branch) office service area:

New Hampshire: Concord, Littleton, Manchester, Nashua (Keene); Portsmouth.

Vermont: Burlington, Montpelier, Rutland.

The address is: 275 Chestnut Street, P.O. Box 3010, Norris Cotton Federal Building, Manchester, New Hampshire 03101.

4. If the individual lives in the following district or (branch) office service area:

Connecticut: New Haven (Ansonia); Bridgeport (East Bridgeport); (Danbury); Stamford (South Norwalk).

The address is: 234 Church Street, Room 301, New Haven, Connecticut 06511.

5. If the individual lives in the following district or (branch) office service area:

Maine: Augusta (Rockland); (Waterville); Bangor; Lewiston (Rumford); Portland (Biddleford); Presque Isle.

The address is: Room 125, 76 Pearl Street, Portland, Maine 04111.

6. If the individual lives in the following district or (branch) office service area:

Massachusetts: Attleboro, Fall River (Taunton); New Bedford (Falmouth); (Hyannis).

The address is: 44 Washington Street, 4th Floor, Slade Building, Providence, Rhode Island 02903.

7. If the individual lives in the following district or (branch) office service area:

Massachusetts: Springfield, Holyoke (Greenfield); Pittsfield (North Adams).

The address is: Room 438, 436 Dwight Street, Springfield, Massachusetts 01103.

B. In the New York Region

1. If the individual lives in the following district or (branch) office service area:

New York: Albany (Hudson); Glens Falls, Gloversville, Kingston, Plattsburgh, Poughkeepsie, Schenectady, Troy.

The address is: Federal Office Building, Room 942, One Clinton Square, Albany, New York 12207.

2. If the individual lives in the following district or (branch) office service area:

Puerto Rico, Bayamon, Arecibo, Manati.

The address is: F. Rodrigez Torres Building (Next to City Hall), Ground Floor, RD #2 KM 11.2, Bayamon, Puerto Rico 00619.

3. If the individual lives in the following district or (branch) office service area:

New York: East Bronx (Baychester); North Bronx, (East Farms), South Bronx, (Hunts Point), (Bronx Hub), (Riverdale).

The address is: 400 East Fordham Road, 3rd Floor, Bronx, New York 10458.

4. If the individual lives in the following district or (branch) office service area:

New York: Brooklyn Avenue X; Boro Hall (Bedford-Stuyvesant); Bay Ridge; Bushwick (Williamsburg); East New York (Canarsie); Flatbush (Kings Plaza).

The address is: 189 Montague Street, 2nd Floor, Brooklyn, New York 11201.

5. If the individual lives in the following district or (branch) office service area:

New York: Bativia, Buffalo, (West Seneca); (Cheektowaga); Jamestown, (Dunkirk); Kenmore, Niagara Falls; Oleans, Rochester.

The address is: 4th Floor, 268 Main Street, Buffalo, New York 14202.

6. If the individual lives in the following district or (branch) office service area:

Puerto Rico: Mayaquez (Aguadilla); (San Sebastian).

The address is: G.P.O. Box V, Mayaquez, Puerto Rico 00708.

7. If the individual lives in the following district or (branch) office service area:

New Jersey: Asbury Park (Toms River); (Brick Township); Atlantic City (Wildwood); Bridgeton, Camden, (Glassboro); (Mount Holly); Trenton.

The address is: Room 402, Ferry Office Building, 1800 Davis Street, East, Camden, New Jersey 08104.

8. If the individual lives in the following district or (branch) office service area:

New York: Flushing, Jackson Heights; (Astoria); (Long Island City), Jamaica; (Far Rockaway).

The address is: 148–43 Hillside Avenue, 2nd Floor, Jamaica, New York 11435.

9. If the individual lives in the following district or (branch) office service area:

Puerto Rico: Caguas, (Humanoa); San Juan; Downtown (Hato Rey); (Santurce); (Fajardo); (Carolina).

Virgin Islands: St. Thomas; (St. Croix).

The address is: Room 700, Housing Investment Building, 416 Ponce de Leon Avenue, Hato Rey, Puerto Rico 00918.

10. If the individual lives in the following district or (branch) office service area:

New York: Freeport, (Long Beach); Huntington Station, (Babylon); Mineola, Patchogue (Riverhead).

The address is: 250 Fulton Avenue, 3rd Floor, Hempstead, NY 11551.

11. If the individual lives in the following district or (branch) office service area:

New York: Manhattan, Downtown, (Chinatown); (Delancey Street); (Tompkins Park); Midtown, (Lenox Hill); (Murray Hill); Staten Island (New Dorp); Upton, (East Harlem); (North Harlem); Washington Heights.

The address is: 15th Floor, 39 Broadway, New York NY 10006.

12. If the individual lives in the following district or (branch) office service area:

New Jersey: East Orange, Hackensack, Irvington, Jersey City, (Hoboken), Montclair, Morristown, (Newtown); Newark, (Clinton Hill); Passaic, Paterson, (Ho-Ho-Kus); Elizabeth, (Plainfield); Perth Amboy, New Brunswick (Raritan).

The address is: Room 1522, 1180 Raymond Boulevard, Newark, NJ 07102.

13. If the individual lives in the following district or (branch) office service area:

Puerto Rico: Ponce (Cayey); (Guayama); (Yauco).

The address is: Centro Del Sur, Shopping Center, Ponce, PR 00731.

14. If the individual lives in the following district or (branch) office service area:

New York: Ausburn, Binghamton, (Ithaca); Elmira, (Corning; Geneva, Ogdensburg, Oneonta, Oswego, Syracuse, Utica), (Herkimer), (Rome); Watertown.

The address is: Suite 400, The Chambers, 351 South Warrent Street, Syracuse, NY 13202.

15. If the individual lives in the following district or (branch) office service area:

New York: Nanuet, New Rochelle, (Mount Vernon); White Plains, (Peekskill); Newburgh, (Monticello); Yonkers.

The address is: Room 105, 237 Mamaroneck Avenue, White Plains, NY 10605.

C. In the Philadelphia Region

1. If the individual lives in the following district or (branch) office service area:

Maryland: Baltimore: Downtown (East); (Mondawmin); (North); (Northeast); (Northwest); (West); Glen Burnie (Annapolis); (Catonsville); Towson (Bel Air); (Eastpoint); (Elkton); (Garrison); (Westminster).

The address is: Room 415, the Rotunda, 711 West 40th Street, Baltimore, MD 21211.

2. If the individual lives in the following district or (branch) office service area:

West Virginia: Beckley, (Oak Hill); Charleston, (Montgomery), Logan (St. Albans); Parkersburg, (Williamson).

The address is: 500 Quarrier Street, Room 1019, U.S. Courthouse & Federal Bldg., Charleston, WV 25301.

3. If the individual lives in the following district or (branch) office service area:

Virginia: Charlottesville, Lynchburg, (Culpepper); (Farmville); Staunton (Harrisonburg).

The address is: Room 203, Citizens Commonwealth Center, 300 Preston Avenue, Charlottesville, VA 22901.

4. If the individual lives in the following district or (branch) office service area:

Pennsylvania: Lancaster, York, Carlisle, Harrisburg, Chambersburg, (Lewistown); (State College); (Lebanon).

The address is: Suite 200, 100 Chestnut Street Bldg., Harrisburg, PA 17101.

5. If the individual lives in the following district or (branch) office service area:

Kentucky: Ashland, Pikesville (Prestonburg).

West Virginia: Huntington.

The address is: Room 300, 640 4th Avenue, Huntington, WV 25701.

6. If the individual lives in the following district or (branch) office service area:

Pennsylvania: Allentown, (Betheham) Bristol, Easton, (E. Stroudsburg); (Glenside); Norristown; (Pottstown); Philadelphia: Northeast (Kensington-Allegheny); Reading.

The address is: Room 309, Fox Square Pavilion, Old York Road at Wyncote, Jenkintown, PA 19046.

7. If the individual lives in the following district or (branch) office service area:

Pennsylvania: Altoona, DuBois, Gennburg, Indiana, Johnstown (Somerset).

The address is: Penn Traffic Building, Suite 102, 319 Washington Street, Johnstown, PA 15901.

8. If the individual lives in the following district or (branch) office service area:

Virginia: Hampton, Newport News, Norfolk, Portsmouth, Suffolk.

The address is: 200 Granby Hall, Federal Bldg., Room 736, Norfolk, VA 23510.

9. If the individual lives in the following district or (branch) office service area:

Delaware: Dover, Wilmington.

Pennsylvania: Chester; Philadelphia: Downtown, (Broad Street); (South) Germantown, (Nicetown); North Philadelphia); (South); (West Upper Darby); (Mantua); West Chester.

The address is: 100 North 20th Street, 2nd Floor, Philadelphia, PA 19103.

10. If the individual lives in the following district or (branch) office service area:

Pennsylvania: Ambridge, (Beaver Falls); Butler, (Charleroi); Erie, (Kittaning); (Meadville); McKeesport, (Braddock); New Castle, New Kensington, (Monroeville); Oil City; Pittsburgh: Downtown, (Brentwood); (Hill Distr.); (Mt. Lebanon); (North Side); East, (Hill Distr.); Sharon, Uniontown, Washington.

West Virginia: Clarksburg, (Elkins); (Fairmon); Morgantown, Wheeling.

Ohio: Brigeport, East Liverpool, Steubenville.

The address is: 335 Fifth Avenue, 5th Floor, Park Building, Pittsburgh, PA 15222.

11. If the individual lives in the following district or (branch) office service area:

Virginia: (Fredericksburg); Petersburg, Richmond: (Church Hill); Downtown, (Northside); (Southside).

The address is: Room 9225, Federal Building, 400 North 8th Street, Richmond, VA 23240.

12. If the individual lives in the following district or (branch) office service area:

Virginia: Covington, Danville, (Martinville); Roanoke, (South Boston); (Wytheville).

West Virginia: Bluefield, Welch.

The address is: Room 857 Richard Poff Federal Office Bldg., 210 Franklin Road, SW, Roanoke, VA 24011.

13. If the individual lives in the following district or (branch) office service area:

District of Columbia: Washington: Alabama Avenue; Downtown (East Capitol Street); (Eight Street); (Rhode Island Avenue); (Taylor Street).

Maryland: (Bladensburg); (Cambridge); Camp Springs, Cumberland, Frederick, (Hagerstown); (Rockville).

Pennsylvania: Chambersburg.

Virginia: Alexandria, Winchester (Arlington); (Falls Church).

West Virginia: (Martinsburg).

Foreign Claims: Except Philippine Islands.

Delaware: Georgetown.

The address is: Room 730, 1325 G Street, NW, Washington, DC 20005.

14. If the individual lives in the following district or (branch) office service area:

Pennsylvania: (Bloomsburg), (Carbondale), Hazleton, (Lehighton); (Lewiston); (Pittston); (Pottsville); Scranton, (Shamokin); Wilkes-Barre, Williamsport, Sunbury, (Towanda).

The address is: Room 3110 Penn Place, 20 N. Pennsylvania Avenue, Wilkes-Barre, PA 18701.

D. In the Atlanta Region

1. If the individual lives in the following district or (branch) office service area:

Georgia: Atlanta: Downtown, (Northeast); (Northwest); (Southeast); (Southwest); (Daniel Village); Downtown, (Carrollton); East Point, (Griffin); LaGrange, Marietta.

The address is: Suite 514, 25th Street Building, 1720 Peachtree Street, NW, Atlanta, GA 30309.

2. If the individual lives in the following district or (branch) office service area:

Alabama: (Albertsville; Anniston, Bessemer; Birmingham: Downtown, (East Lake); (Ensley); (Five Points West); Gadsden (Jasper); (Talladega); Tuscaloosa.

The address is: Room 420, Shel-Al Bldg., 11 West Oxmoor Road, Birmingham, AL 35209.

3. If the individual lives in the following district or (branch) office service area:

Georgia: Savannah, Downtown (Southside); (Statesboro).

South Carolina: (Beaufort); Charleston, (Conway); (Georgetown); North Charleston, (Walterboro).

The address is: Federal Bldg., Suite 125, 334 Meeting Street, Charleston, SC 29403.

4. If the individual lives in the following district or (branch) office service area:

North Carolina: (Albamarle); Charlotte: Downtown, (N. Tryon Street; Gastonia, (Morgantown) (Rockingham); Salisburg, (Shelby); (Stateville); Hickory.

South Carolina: (Lancaster); Rock Hill.

The address is: Suite 302, Court Plaza Bldg., 901 Elizabeth Avenue, Charlotte, NC 28204.

5. If the individual lives in the following district or (branch) office service area:

Alabama: Huntsville, (Scottsboro).

Georgia: (Cedartown); (Dalton); Rome.

Tennessee: (Athens); Chattanooga; (Cleveland); (Tullahoma).

The address is: P.O. Box 8739, Chattanooga, TN 37311.

6. If the individual lives in the following district or (branch) office service area:

South Carolina: (Bennettsvilee); (Camden); Columbia, Florence, Greenwood, (Laurens); (Orangeburg); (Sumter).

The address is: 12th Floor, Suite 1259, Strom Thurmond Federal Bldg., 1835 Assembly Street, Columbia, SC 29201.

7. If the individual lives in the following district or (branch) office service area:

Georgia: Athens, Augusta, (Covington); Decatur, Gainsville (Toccoa); (Winder); (Columbia).

South Carolina: (Aiken).

The address is: Suite 2100, Bldg. 3, Northgate Office Park, 3620 Interstate 85 NE, Doraville, GA 30340.

8. If the individual lives in the following district or (branch) office service area:

Alabama: (Cullman); Decatur, Florence, (Russellville).

Mississippi: Columbus, (Corinth); Tupelo (Starkville).

The address is: Suite E. Spring Street Federal Bldg., 426 East Spring Street, Florence, AL 35630.

9. If the individual lives in the following district or (branch) office service area:

Florida: (Delray Beach); Fort Lauderdale; (W. Broward); (Fort Pierce), (Hallandale), Hollywood, (Pompano Beach), West Palm Beach.

The address is: Federal Bldg. & U.S. Courthouse, Room 307-A, 299 E. Broward Blvd., Ft. Lauderdale, FL 33301.

10. If the individual lives in the following district or (branch) office service area:

North Carolina: (Asheboro); (Burlington) (Greensboro); High Point, (Mt. Airy); (North Wilkesboro); (Reidsville);Winston-Salem.

The address is: 1200 West Bessemer Square Bldg., 1215 West Bessemer Avenue, Greensboro, NC 27408.

11. If the individual lives in the following district or (branch) office service area:

South Carolina: Anderson, Greeneville, Spartanburg, Asheville, (Franklin); (Hendersonville).

The address is: Suite 116, 300 University Ridge, Greeneville, SC 29601.

12. If the individual lives in the following district or (branch) office service area:

Mississippi: (Brookhaven); (Columbia); Hattiesburg (Laurel); (McComb).

The address is: 301 Humble Avenue, Hattiesburg, MS 39401.

13. If the individual lives in the following district or (branch) office service area:

Mississippi: (Cleveland) Greenville, Greenwood, (Grenada); Jackson, (Kosciusko); Meridan, (Newton); (Philadelphia); Vicksburg, (Natchez).

The address is: Suite 801 100 West Capital Street, Jackson, MS 39201.

14. If the individual lives in the following district or (branch) office service area:

Florida: Gainsville; Jacksonville: Downtown, (North); (Lake City); (Palatka): (Quincy); St. Augustine, Tallahassee.

Georgia: (Bainbridge); (Brunswick); Thomasville, Valdosta, Waycross.

The address is: 2809 Art Museum Drive, Room 3, Jacksonville, FL 32207.

15. If the individual lives in the following district or (branch) office service area:

Tennessee: (Greennville); Johnson City, (Kingsport).

Virginia: Bristol, (Norton).

The address is 1420B East Stone Drive, Kingsport, TN 37660.

16. If the individual lives in the following district or (branch) office service area:

Tennessee: Knoxville, (La Follette); (Maryville); (Morristown); (Oak Ridge).

The address is: Suite 300, Apalachian, National Life Bldg., 318 Cumberland Avenue SW., Knoxville, TN 37902.

17. If the individual lives in the following district or (branch) office service area:

Kentucky: Frankfort, Lexington, (Maysville); (Richmond): Danville.

The address is Room 230, The Bakhaus Bldg., 1500 West Main Street, Lexington, KY 40505.

18. If the individual lives in the following district or (branch) office service area:

Indiana: New Albany.

Kentucky: Campbellsville, Elizabethtown, Louisville: Downtown, (East); (West); Bowling Green.

The address is: Room 600, Bank of Louisville Bldg., 510 West Broadway, Louisville, KY 40202.

19. If the individual lives in the following district or (branch) office service area:

Georgia: Albany, (Cordele); (Dublin); Macon, (Milledgeville); (Moultrie); (Swainsvoro); (Tifton); (Warner Robins).

The address is: Room 813, Southern Trust Bldg., 682 Cherry Street, Macon, GA 31201.

20. If the individual lives in the following district or (branch) office service area:

Mississippi: (Clarksdale); (Holly Springs).

Tennessee: Dyersburg; Jackson; Memphis: Downtown, (East); (North); (South); (Union City).

The address is: Suite 602, Mid-Memphis Tower Bldg., 1407 Union Avenue, Memphis, TN 48103.

21. If the individual lives in the following district or (branch) office service area:

Florida: (Coral Gables); (Hialeah); (Key West); Miami (Allapattah); (Cutler Ridge); Downtown, (Little Havannah); (Little River); North Miami Beach.

The address is: 4th Floor, Northeast, Airlines Bldg., 150 S.E. 2nd Avenue, Miami, FL 33131.

22. If the individual lives in the following district or (branch) office service area:

Kentucky: (Middlesboro), Corbin, (Harlan), Hazard, (Somerset).

The address is: Village Square Shopping Center, Route #2, Box 12-55, Middlesboro, KY 40965.

23. If the individual lives in the following district or (branch) office service area:

Alabama: (Andalusia); (Jackson); Mobile; Downtown, (Fairhope); (W. Mobile).

Florida: (Marianna), Panama City, Pensacola.

Mississippi: Gulfport (Pascagoula).

The address is: Room 407, Commerce Bldg., 118 North Royal Street, Mobile, AL 36602.

24. If the individual lives in the following district or (branch) office service area:

Alabama: (Alexander City); (Dempolis), Dothan, Montgomery, (Opelika); Selma (Troy).

The address is: Room 109, McDonough Bldg., 770 South McDonough Street, Montgomery, AL 36104.

25. If the individual lives in the following district or (branch) office service area:

Tennessee: (Clarksville), Columbia, Cookeville, (Gallatin); (Lawrenceburg), (McMinnville); (Murfreesboro): Nashville; Downtown, (East); (Hadley Park), (Paris).

The address is: Room 800, 1717 West End Avenue, Nashville, TN 37203.

26. If the individual lives in the following district or (branch) office service area:

Florida: Daytona Beach, (Deland); (Leesburg); Melbourne, (Ocala); Orlando, (Sanford); (Vero Beach).

The address is: U.S. Federal Bldg. & Courtshouse, Room 239, 80 N. Hughey Avenue, Orlando, FL 32801.

27. If the individual lives in the following district or (branch) office service area:

Illinois: (Cairo).

Kentucky: Hopkinsville, (Madisonville), (Mayfield); Owensboro, Paducah.

The address is: No. 1 Tiffany Square, 3038 Lone Oak Road, Paducah, KY 42001.

28. If the individual lives in the following district or (branch) office service area:

North Carolina: Durham, (Elizabeth City); Fayetteville, Goldsboro, Greenville, (Henderson); (Kinston); (Lumberton); New Bern; Raleigh, (Roanoke Rapids); Rocky Mount, (Sanford); (Smithfield); (Washington); (Whiteville); Wilmington, (Wilson).

The address is: 3824 Barrett Drive, Room 200, Raleigh, NC 27609.

29. If the individual lives in the following district or (branch) office service area:

Florida: (Bradenton), Clearwater, (Dade City), Fort Meyers, (Holiday); Lakeland, (Naples); (Pinellas Park); (Plant City); St. Petersburg, Sarasota, (Sebrign); Tampa: Downtown, (Wellswood); (Winter Haven).

The address is: Suite 638, 700 Twiggs Street, 700 Twiggs Building, Tampa, FL 33602.

E. In the Chicago Region

1. If the individual lives in the following district or (branch) office service area:

Illinois: Auroroa, (Downers Grove); Champaign; Chicago: Loop, Near Northwest, (Westtown); Near Southwest, West; (Lawndale); Danville, Elgin, Elmwood Park, Harvey, (Villa Park); Markham, Joliet, Kankakee, North Riverside (La Grange).

The address is: Room 1430, Mid-Continental Plaza, 55 East Monroe Street, Chicago, IL 60603 (DT).

2. If the individual lives in the following district or (branch) office service area:

Illinois: Chicago: East, (Back of the Yards); south (Bridgeview); Southeast.

Indiana: Gary (Merrillville); (Valparaiso); Hammond, (East Chicago); (Michigan City).

Michigan: Benton Harbor.

The address is: The Kluczynski Federal Bldg., 230 South Dearborn Street, Room 2645, Chicago, IL 60604 (South).

3. If the individual lives in the following district or (branch) office service area:

Kentucky: Covington:

Ohio: Cincinnati: Downtown (Peebles Corner); North, (Batavia); Dayton: Downtown, (West); (Xenia); Hamilton, (Middleton); (Ironton); Portsmouth.

The address is: Room 6409, Federal Office Bldg., 550 Main Street, Cincinnati, OH 45202.

4. If the individual lives in the following district or (branch) office service area:

Ohio: Akron: Downtown, (West); (Medina); (Ravenna); Ashtabula, (Painesville); Canton, (Woodster); Cleveland: Downtown, Heights (Midtown); (Northeast); (Northwest); (Southeast); (Southwest); (University Circle); West, (Euclid); Lorain, Mansfield, New Philadelphia, Sandusky, (Fremont); Toledo: (West); (Bowling Green); Warren, Youngstown.

The address is: Room 1919, Superior Bldg., 815 Superior Avenue NE, Cleveland, OH 44114.

5.If the individual lives in the following district or (branch) office service area:

Ohio: Chillicothe; Columbus: Downtown; (East); (North); (Lancaster); Findlay; Lima, Marietta, Marion, (Athens): Newark, Piqua, Springfield, Zanesville; (Cambridge); (Gallipolis).

The address: Room 717, LeVeque Lincoln Tower, 50 West Broad Street, Columbus, OH 43215.

6. If the individual lives in the following district to (branch)office service area:

Ohio: Dayton, Downtown, (West); Piqua, Springfield; (Xenia).

The address is: Suite 400, 40 S. Main Street, Center City Office Bldg. Dayton, OH 45402.

7. If the individual lines in the following district or (branch) office service area:

Michigan: Ann Arbor,(Monroe); Dearborn; (Inkster); (Wyandotte); Detroit: Downtown East, (E. Jefferson Avenue); (Grand River); (Hamtramck); Southwest; Port Huron.

The address is: Patrick McNamara Federal Bldg., 4th Floor, Room 430-449, 477 Michigan Avenue, Detriot, MI 48226.

8. If the individual lives in the following district or (branch) office service area:

Illinois: Chicago: North, Northwest; (Arlington Heights); (Des Plains); Evanston, (Glenview); Rockford, (Freeport); Sterling, (Woodstock); Waukegan, (Woodstock).

The address is: Room 250, 2nd Floor, Davis Bldg., 820 Davis Street, Evanston, IL 60201.

9. If the individual lives in the following district or (branch) office service area:

Illinois: Carbondale, Harrisburg, (W. Frankfort); (Effingham); Mount Vernon.

Indiana: Evansville, Cincennes.

Kentucky: (Henderson).

The address is: Room 246, Federal Bldg., 101 NW Seventh Street, Evansville, IN 60201.

10. If the individual lives in the following district or (branch) office service area:

Michigan: (Alpena); Bay City, Flint, (Owosso); Port Huron, Saginaw.

The address is: Room 810, Metropolitan Bldg., 432 N. Saginaw Street, Flint, MI 48502.

11. If the individual lives in the following district or (branch) office service area:

Indiana: (Auburn) Elkart, Fort Wayne, Marion, Muncie, South Bend.

Ohio: Defiance.

The address is: Room 401, Commerce Bldg., 127 West Berry Street, Fort Wayne, IN 46802.

12. If the individual lives in the following district or (branch) office service area:

Michigan: Grand Rapids, (Holland); Kalamazoo, Muskegon.

The address is: Room 346 Federal Bldg., 110 Michigan NW., Grand Rapids, MI 49502.

13.If the individual lives in the following district to (branch) office service area:

Indiana: Anderson, Bloomington, Columbus, (Crawfordsville); Indianapolis: Downtown; (East); (West); Kokomo, Lafayette, Madison, Richmond, Terre Haute.

The address is: 221 Federal Bldg., 575 N. Pennsylvania Streetr, Indianapolis, IN 46204.

14. If the individual lives in the following district or (branch) office service area:

Michigan: (Adrian); Battle Creek, Jackson, Lansing, Mount Pleasant, Muskegon, (Petoskey), Traverse City, (Apena); (Owozzo).

The address is: 333 South Capitol, Suite 220, North Entrance, Lansing, MI 48933.

15. If the individual lives in the following district or (branch) office service area:

Wisconsin: Appleton, Eau Claire, (Rice lake); Fond de Lac, Janesville, Kenosha, Green Bay, (Marinette); LaCrosse, (Lancaster); Madison, (Portage); (Munitowoc); Milwaukee: (Mitchell); North, South, East, (Vliet St.); Oshkosh, Racine, Sheboygan, Waukesha, (West Bend); Wisconsin Rapids, (Rhinelander); Wausau.

Michigan: Escanaba, Marquette, (Ironwood).

The address is: The Continental Bank Bldg., Room 800, 735 West Wisconsin Avenue, Milwaukee, WI 53233.

16. If the individual lives in the following district of (branch) office service area:

Minnesota: (Alexandria); Austin, Bemidji, (Brooklyn Center); Duluth, (Fairmont); Hibbing, Mankato, Marshall; Minneapolis: (Broadway); (Southwest); Rochester, St. Cloud, St. Paul, Winona.

Wisconsin: Superior.

The address is: 830 Plymouth Bldg., 12 South 6th Street, Minneapolis, MN 55402.

17. If the individual lives in the following district of (branch) office service area:

Illinois: Bloomington, Decatur, Galesburg, (Peking); Peoria, Peru, Springfield.

The address is: Room 1004, Savings Center Tower, 411 Hamilton Blvd., Peoria, IL 61602.

18. If the individual lives in the following district or (branch) office service area:

Michigan: Detroit: Highland Park, (Livernois St.); Northwest, (Livonia); (Mt. Clemens); Pontiac, Roseville, (Royal Oak); (Warren).

The address is: Suite 800, Northland Towers West, 15565 Northland Drive, Southfield, MI 48075.

F. If the Dallas Region

1. If the individual lives in the following district of (branch) office service area:

New Mexico: Albuquerque, (Clovis); Farmington, (Gallup); (Hobbs); (Las Cruces); (Las Vegas); Roswett, Santa Fe.

The address is: Room 309, Patio Plaza Bldg., 5000 Marble Avenue, NE, Albuquerque, NM 87110.

2. If the individual lives in the following district or (branch) office service area:

Louisiana: Alexandria, (DeRidder); Lafayette, Lake Charles, (Leesville); (Natchitoches); (New Iberia); (Opelousas); Baton Rouge: Downtown, (Government St.); (Plaquemine).

The address is: 3744 Government Street, Alexandria, LA 71301.

3. If the individual lives in the following district or (branch) office service area:

Texas: (Corsicana); Dallas: (South Oak Cliff); (South Dallas); Lufkin, (Nacogdoches); (Palestine); (Waxahachie); Temple, Waco, (West Dallas).

The address is: Federal Office Bldg., Room 7B41, 1100 Commerce Street, Dallas, TX 75242 (DT).

4. If the individual lives in the following district or (branch) office service area:

Texas: (McKinney); Longview, (Marshall); Paris, Greenville, Tyler, Sherman, Dallas; Rawlins.

The address is: Central Square, Suite 252, 10830 North Central Expressway, Dallas, TX 75231 (North).

5. If the individual lives in the following district or (branch) office service area:

Arkansas: Fayetteville, Fort Smith, (Harrison); (Russellville).

The address is: Room 203, 616 Garrison Bldg., 616 Garrison Avenue, Fort Smith, AR 72903.

6. If the individual lives in the following district or (branch) office service area:

Texas: Abilene, (Big Spring); (Brownwood); (Cleburne); (Denton); Forth Worth, Odessa, San Angelo.

The address is: Room 9A35, Federal Office Bldg., 819 Taylor Street, Fort Worth, TX 76102.

7. If the individual lives in the following district or (branch) office service area:

Texas: (Angleton); Beaumont, (Brenham); Breyan, Galveston; Houston: Downtown, (Northwest); (Northeast); (South Park); Southwest, (Huntsville); Pasadena, Port Arthur.

The address is: Scalnon Bldg., Suite 1000, 405 Main Street, Houston, TX 77002.

8. If the individual lives in the following district or (branch) office service area:

Arkansas: (Batesville); (Blytheville); (Camden); (Conway); El Dorada, Forest City, (Helena); Hot Springs National Park, Jonesboro, Little Rock, Pine Bluff, (Searcy); (West Memphis).

The address is: 2402 Federal Office Bldg., 700 West Capitol Avenue, Little Rock, AR 72201.

9. If the individual lives in the following district or (branch) office service area:

Texas: Texarkana.

Oklahoma: (Hugo); McAlexter, (Durant); Poteau.

The address is: 104 East Carl Albert Pkwy., McAlester, OK 74501.

10. If the individual lives in the following district or (branch) office service area:

Louisiana: (Bogalusa); (Covington); (Gretna); (Hammond); Houma, (Matairie); (Morgan City); New Orleans: Downtown, (East); (Poland Avenue).

The address is: 2nd Floor, Oil & Gas Bldg., 1100 Tulane Avenue, New Orleans, LA 70112.

11. If the individual lives in the following district or (branch) office service area:

Oklahoma: (Ada); (Altus); Ardmore, (Chickasha); (Clinton); (Duncan); Enid, (Guymon); Lawton, (Norman); Oklahoma City, (Ponce City); (Shawnee); (Stillwater).

Texas: Amarillo, Lubbock, (Pampa); (Plainview); (Vernon); Wichita Falls.

The address is: Suite 416, 50 Penn Place, Northwest 50th and Pennsylvania Streets, Oklahoma City, OK 73118.

12. If the individual lives in the following district or (branch) office service area:

Texas: (Alice); Austin, Brownsville, Corpus Christie, (Eagle Pass); (Harlingen); (Kerrville); Laredo, Mcallen; San Antonio: Downtown, (Southside); (Westside); (Sequin); Victoria, El Paso.

The address is: Room 222, Castle Hills Executive Plaza, 1015 Jackson Keller Road, San Antonio, TX 78213.

13. If the individual lives in the following district or (branch) office service area:

Louisiana: (Bossier City); (Minden); Shreveport, (Bastrop); Monroe, (Ruston); (Tallulah).

The address is: Suite 232, Shreve City Office Park, 2920 Knight Street, Shreveport, LA 71105.

14. If the individual lives in the following district or (branch) office service area:

Oklahoma: (Bartlesville); (Miami); Tulsa, Muskogee, (Okmulgee).

The address is: 3rd Floor, Columbia Bldg., 2651 East 21st Street, Tulsa, OK 74114.

G. In the Kansas City Region

1. If the individual lives in the following district or (branch) office service area:

Missouri: Cape Giradeau, Clayton, (Flat River); (Kennett); (Sykeston); St. Louis County: Southside, (Union); (West Plains); St. Charles, Popular Bluff.

The address is : Room 2, 8706 Manchester Road, Brentwood, MO 63144.

2. If the individual lives in the following district or (branch) office Downtown, (South); Prescott, (Scottsdale).

Nevada: Las Vegas, (North Las Vegas).

The address is: Suite 600, Mayer Central Bldg., 3033 North Central Avenue, Phoenix, AZ 85012.

11. If the individual lives in the following district or (branch) office service area:

California: (Auburn); Chico, (Lodi); (Marysville); Modesto, Redding, (Roseville); Sacramento, Stockton.

Nevada: Reno.

The address is: Suite 403, 1029 J Street, Sacramento, CA 95814 (DT).

12. If the individual lives in the following district or (branch) office service area:

California: (Banning); (Corona); (Fontana); (Hemet); Palm Springs, Pomona, (Redlands), Riverside, San Bernardino, (Victorville).

The address is: 362 North Arrowhead Avenue, Suite 201, San Bernardino, CA 92401.

13. If the individual lives in the following district or (branch) office service area:

Arizona: (Yuma).

California: (Chula Vista); (El Corazon); (El Centro); (Escondido); (La Mesa); San Diego: Downtown, (Linda Vista); (Oceanside); (Southeast).

The address is: U.S. Courthouse, 940 Front Street, Room 2-N-26, San Diego, CA 92189.

4. If the individual lives in the following district or (branch) office service area:

California: San Francisco: (Chinatown); Civic Center, (Hunter's Point); (Inner Mission); (Out Mission); Parkside, (Western Addition); (Redwood City); San Mateo.

The address is: Suite 320, 550 Kearney Street, San Francisco, CA 94108.

15. If the individual lives in the following district or (branch) office service area:

California: (Campbell); (Gilroy); (Monterey); (Pala Alto); Salinas, San Jose: Downtown, (East); (Sunnyvale); (Watsonville); Santa Cruz, (Redwood City).

The address is: Room 800, Community Bank Bldg., 111 West St. John Street, San Jose, CA 95113

16. If the individual lives in the following district or (branch) office service area:

California: Eureka, (Fairfield); (Napa); San Rafael, Santa Rosa, (Ukiah); Vallejo.

The address is: Room 206, 1099 D Street, San Rafael, CA 94901.

17. If the individual lives in the following district or (branch) office service area:

California: Anaheim, Costa Mesa, Fullerton, Huntington Beach, San Juan Capistrano, Santa Ana.

The address is: Suite 902, Federal Bldg., 34 Civic Center Plaza, Santa Ana, CA 92701.

18. If the individual lives in the following district or (branch) office service area:

California: San Luis Obisbo, (Santa Maria); Ventura, (Oxnard); Santa Barbara.

The address is: 222 East Carillo Street, 2nd Floor, Santa Barbara, CA 93101.

19. If the individual lives in the following district or (branch) office service area:

Arizona: (Douglas); (Nogales); Tucson: Downtown, (South).

The address is: Room 3-B, Federal Bldg., 301 West Congress Street, Tucson, AZ 85701.

J. In the Seattle Region

1. If the individual lives in the following district or (branch) office service area:

Oregon: (Bend); (Coos Bay); Eugene, Klamath Falls, Medford, (Roseburg).

The address is: Federal Bldg., Room 430, 211 E. Seventh Avenue, Eugene, OR 97401.

2. If the individual lives in the following district or (branch) office service area:

Oregon: (Albany); (Astoria); (Beaverton); Portland: Downtown, East, (South); Salem Salem, (The Dalles).

Washington: (Longview); Vancouver; Seattle; Yakima.

The address is: 800 Terminal Sales Bldg., 1220 S.W. Morrison Street, Portland, OR 97205.

3. If the individual lives in the following district or (branch) office service area:

Washington: (Aberdeen); Bellvue, Bellingham, Bremerton, (Burien); (Chehalis); Everett, (Lynwood); (Mt. Vernon); Olympia, (Port Angeles); (Puyallup); (Renton); Seattle: Downtown, (North); (South); (West); Tacoma, Yakima, (Kennewick).

The address is: Room 3162 Federal Bldg., 915 Second Avenue, Seattle, WA 98174.

4. If the individual lives in the following district or (branch) office service area:

Idaho: (Coeur D'Arlene); Lewiston.

Oregon: La Grande, (Ontario); (Pendleton).

Washington: (Pasco); (Pullman); Spokane, Walla Walla, Wenatchee.

The address is: 830 Bon Marche Bldg., 214 North Wall Street, Spokane, WA 99201.

The Administrative Law Judges are independent adjudicators. However, they do need certain administrative and logistical support. This support is provided by the Regional Chief Administrative Law Judges, Office of Hearings and Appeals, whose offices are at the following addresses: Spokane, Washington 99201.

For the following district and (branch) offices:

Idaho: (Coeur D'Arlene); Lewiston.

Oregon: La Grande (Ontario); (Pendleton).

Washington: (Pasco); (Pullman); Spokane, Walla Walla, Wenatchee.

II. The Administrative Law Judges are independent adjudicators. However, they do need certain administrative and logistical support. This support is provided by the Regional Chief Administrative Law Judges, Office of Hearings and Appeals, whose offices are at the following addresses:

In the Boston Region
E-310 John F. Kennedy Federal Building, Boston, Massachusetts 02203
In the New York Region
Room 34-130, 26 Federal Plaza, New York, New York 10278
In the Philadelphia Region
Room M300, The Gateway Building, 36th and Market Streets, Philadelphia, Pennsylvania 19101
Mailing Address: P.O. Box 8788, Philadelphia, Pennsylvania 19101
In the Atlanta Region
Suite 422, Marietta Tower Bldg., 101 Marietta Street NW, Atlanta, Georgia 30323
In the Chicago Region
16th Floor, 300 S. Wacker Drive, Chicago, Illinois 60606
In the Dallas Region
Federal Office Building, Room 14B7, 1100 Commerce Steet, Dallas, Texas 75202
In the Kansas City Region
Room 505, Federal Office Building, 911 Walnut Street, Kansas City, Missouri 64106
In the Denver Region
Suite 402, Rio Grande Bldg., 1531 Stout Street, Denver, Colorado 80202
In the San Francisco Region
24th Floor, 100 Van Ness Avenue, San Francisco, California 94102
In the Seattle Region
Room 1852, Federal Building, 915 Second Avenue, Seattle, Washington 98174

Appendix H—Office of Central Operations Electronic Data Operations Centers

Office of Central Operations, Veterans Administration Building, 19 North Main Street, Wilkes Barre, Pennsylvania 18701
Office of Central Operations, Albuquerque, Data Operations Center, 933 Bradbury, SE, Albuquerque, New Mexico 87112
Office of Central Operations, Salinas Data Operations Center, 6th Floor, No. 8, 8 East Alisal, Salinas, California 94901.

Appendix I—Availability of Records, Manuals, etc.

All administrative staff manuals of the Social Security Administration and instruction to staff personnel which contains policies, procedures, or interpretations that affect the public are available for inspection and copying. These manuals are generally not printed in a sufficient quantity to permit sale or other general distribution to the public, but many are maintained at district offices and field offices and may be inspected there (See Appendix F address and telephone information). A complete listing of staff manuals and instructions is published in Social Security Rulings which is available from the Government Printing Office, Washington, D.C. 20402.

The Social Security Act is codified at 42 U.S.C. 301 and the Federal Coal Mine Health and Safety Act may be found at 30 U.S.C. 901.

The Regulations relating to Federal retirement, survivors, and disability insurance and health for the aged, are published in the Code of Federal Regulations under title 20, chapter III, Part 401 et seq.

A. Part 401 contains Regulation No. 1, Disclosure of Official Records and Information.

B. Part 402, which contained Regulations No. 2, has not been published in the Code beginning with the 1949 edition since Regulations No. 2 applies only to the Social Security Act in effect before 1940.

C. Part 403, which contained Regulations No. 3, has not been published in the Code beginning with the 1965 edition since Regulations No. 3 relates to the period from 1940 to 1950. The extent to which Regulations No. 3 remains in effect is indicated in Sections 404.3(a) of Regulations No. 4.

D. Part 404 contains Regulations No. 4, Federal Old-Age, Survivors, and Disability Insurance (1950–).

E. Part 405 contains Regulations No. 5, Federal Health Insurance for the Aged and Disabled (1965–).

F. Part 410 contains Regulations No. 10, Federal Coal Mine Health and Safety Act of 1969, Title IV, Black Lung Benefits (1969–).

G. Part 416 contains Regulations No. 16, Supplemental Security Income (1973–).

H. Part 422 contains Regulations No. 22, Organization and Procedures.

Title 20 of the Code of Federal Regulations (Part 400 to End, revised as of April 1, 1979), can be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

Requests for accessing an individual's own records should be directed to the systems managers or as otherwise noted under notification procedures in the foregoing notices. Requests for other records and manuals may be made to: (1) The Director, Office of Information, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235; or (2) the Information Center Officer, at the Regional Offices of the Department of Health and Human Services. The locations and service areas of these offices are as follows:

1. Boston Region—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building, Room 1100A, Boston, Massachusetts 02203, Office Hours: 8:30–5:00

2. New York Region—New York, New Jersey, Puerto Rico, Virgin Islands

Federal Building, Room 745, 26 Federal Plaza, New York, New York 10007, Office Hours: 8:30–5:00

3. Philadelphia Region—Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia

P.O. Box 8788, Philadelphia, Pennsylvania 19101, Office Hours: 8:00–4:30

4. Atlanta Region—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

50 Seventh Street, NE, Room 240, Atlanta, Georgia 30323, Office Hours: 8:00–4:30

5. Chicago Region—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive, Room 2719, Chicago, Illinois 60606, Office Hours: 8:15–4:45

6. Dallas Region—Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Room 2535, 1200 Commerce Street, Dallas, Texas 75202, Office Hours: 8:15–4:45

7. Kansas City Region—Iowa, Kansas, Missouri, Nebraska

Federal Building, Room 431-A, 601 East 12th Street, Kansas City, Missouri 64106, Office Hours: 8:00–4:45

8. Denver Region—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building, Room 8005, 1961 Stout Street, Denver Colorado 80202, Office Hours: 8:00–4:30

9. San Francisco Region—Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa

100 Van Ness Avenue, 26th Floor, San Francisco, California 94102, Office Hours: 8:00–4:30

10. Seattle Region—Alaska, Idaho, Oregon, Washington

Arcade Plaza Building, MS-614, 1321 Second Avenue, Room 6027 Seattle, Washington 98101, Office Hours: 8:00–4:30

Appendix J—Social Security Administration Data Security Measures

The confidentiality of records has been a cornerstone of Social Security Administration policy from the very beginning of the agency under the mandate of Title 20, Chapter III, Part 401 of the Code of Federal Regulations issued in 1937 and Section 1106 of the Social Security Act (Act) passed by the Congress in 1939. Data security measures begin with the thorough training of employees in the restrictions against disclosure contained in the Act and the Regulations, the criminal sanctions for unauthorized disclosure, and the procedures used to assure that disclosures authorized by statute and regulation are released to the proper parties. The physical security measures established to safeguare records are discussed below:

1. Manually Maintained Records

Manually maintained records are kept in locked file cabinets or in otherwise secure areas. Access to the records is limited to those employees who require the information contained in the records to perform the duties assigned to them. In many cases, the records are selected for the employees needing access to them by other employees who are specifically charged with the maintenance of the records. This restricts the number of persons authorized to be in the storage areas and facilitates the control over the access to the information contained in the records to those who need it.

Those records not handled in this manner are securely stored so that unauthorized individuals may not gain access to them.

2. Automated Records

A new building which will house all the computer equipment and automated records is now complete. The Social Security Administration is now in the process of completing relocation of equipment and records to that building. Entry into the building is restricted to employees whose duties require such entry. A special pass containing the employee's photograph is issued to all personnel authorized to enter the building. The pass is worn at all times. Marshals are stationed in the lobby of the New Computer Center (NCC) to ensure that only those employees authorized to enter the building do so. The employees then go to the elevators and to one of the five floors that they are authorized to enter as their work station. It is necessary for the employee to enter his/her badge in a slot to activate a turnstile and gain admittance to the floor. Each badge is keyed for one particular floor. Magnetic tape records and records stored on other media are kept in a library to which entry is restricted to those employees who are authorized to work in the library.

Entry into the computer rooms in the main building is restricted to those employees whose duties require such entry. All employees who are authorized to enter this area wear special photograph passes. Marshals are stationed at each entrance to assure that only possessors of the special pass are admitted.

Access to the information contained in these records is controlled by various manual and automated devices. Only those employees who require the information to perform their duties may obtain it.

Some automated records are maintained in program service centers located throughout the country (See Appendix A for address information). Entrance to the program service center buildings is restricted to employees with building passes. In addition, special passes identify those employees whose duties require entry into the computer rooms. Access to the informtion contained in these records is also controlled. Only employees who require the information to perform their duties may obtain it.

Data is transmitted from field offices and program service centers to headquarters and return. For the most part, sensitive and urgent traffic is sent over lines leased by the Social Security Administration for its sole use. The remaining traffic sent directly by wire is sent via lines leased by the Federal Government for use of all Federal agencies.

Internal computed security is safeguarded by access codes, edit checks, data reformating and return address codes. These assure that only authorized access to the computer system is permitted, that the particular data requested from the system can be released to the requester, and that control is maintained over the locations to which systems data may be sent.

Appendix K—Obtaining Access to Records

An individual must present sufficient evidence to establish identity in order to obtain information pertaining to him from the Social Security Administration's records.

Requests for disclosure of information may be made in the following ways:

1. In person—No special documents of identity are required if a request for information is made in person. It is expected that documents an individual would normally carry on his person would be sufficient; the following would be acceptable although this list is not intended to be all-inclusive: credit cards, driver's license, motor vehicle registration card, building pass, voter registration cards, and selective service registration certificate. A Social Security number card is acceptable only when presented with other evidence.

2. Via mail—An individual requesting information from the Social Security Administration's records via mail must provide his/her name, date of birth, and address in order to establish his identity, plus any additional information required (in the system notice) to access his/her record within a specific system of records.

3. Via telephone—An individual requesting information via telephone must furnish the same information as listed in 2 above.

Appendix L—Field Assessment Offices

1. Addresses and Service Areas
Boston Region
P.O. Box 155, Boston, Massachusetts 02101.
Service area includes: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
New York Region
P.O. Box A154, Peck Slip Station, New York, New York 10038.
Service area includes: New Jersey, New York, Puerto Rico, Virgin Islands
Philadelphia Region
P.O. Box 13733, Philadelphia, Pennsylvania 19101.
Service area includes: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia
Atlanta Region
Suite 2001, 101 Marietta Tower, Atlanta, Georgia 30323.
Service area includes: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
Chicago Region
300 South Wacker Drive, 14th Floor, Chicago, Illinois 60606.
Service area includes: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Dallas Region
1200 Main Tower, Room 2235, Dallas, Texas 75202.
Service area includes: Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Kansas City Region
601 East 12th Street, Room 468, Kansas City, Missouri 64106.
Service area includes: Iowa, Kansas, Missouri, Nebraska
Denver Region
P.O. Box 8839, Denver, Colorado 80201.
Service area includes: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
San Francisco Region
100 Van Ness Avenue, 25th Floor, San Francisco, California 94102.
Service area includes: American Somoa, Arizona, California, Guam, Hawaii, Nevada
Seattle Region
Arcade Plaza Building, Mail Stop Number 219, 1321 Second Avenue, Seattle, Washington 98101.
Service area includes: Alaska, Idaho, Oregon, Washington

2. Field Assessment Satellite Offices
Boston Service Area
P.O. Box 155, Boston, Massachusetts 02101.
P.O. Box 6, Canal Station, Portland, Maine 04112.
New York Service Area
P.O. Box 7385, New Brunswick, New Jersey 08903.
Philadelphia Service Area
P.O. Box 8788, Philadelphia, Pennsylvania 19101.
725 Kossman Building, Fobes and Stanwix Streets, Pittsburgh, Pennsylvania 15222.
2000 Century Plaza, Suite 454, 10632 Little Patuxent Parkway, Columbia, Maryland 21044.
Atlanta Service Area
1568 Willingham Drive, Suite 214–D, College Park, Georgia 30337.
P.O. Box 662, Birmingham, Alabama 35201.
P.O. Box 17707, Raleigh, North Carolina 27619.
1102 Kermit Drive, Suite 104, Nashville, Tennessee 37217.
Chicago Service Area
300 South Wacker Drive, Room 1749, Chicago, Illinois 60606.
1084 McNamara Building, 477 Michigan Avenue, Detroit, Michigan 48226.
Federal Building, Room 658, 316 Robert Street, St. Paul, Minnesota 55101.
Federal Building, Room 284, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202.
Dallas Service Area
P.O. Box 709, Grand Prairie, Texas 75051.
P.O. Box 8770, Metairie, Louisiana 70011.
50 Penn Place, Suite 410, Oklahoma City, Oklahoma 73118.
Kansas City Service Area
P.O. Box 15568, Kansas City, Missouri 64106.
Denver Service Area
7200 West Alameda, Suite 208, Lakewood, Colorado 80226.
Treasure State Building, Room 310, 2906 Second Avenue, North Billings, Montana 59101.
P.O. Box 2638, Salt Lake City, Utah 84110.
San Francisco Service Area
100 Van Ness Avenue, 26th Floor, San Francisco, California 94102.
4640 Admiralty Way, Suite 201, Marina Del Rey, California 90241.
P.O. Box 50048, Honolulu, Hawaii 96850.
Seattle Service Area
Dexter Horton Building, Room 501, 710 Second Avenue, Seattle, Washington 98104.

Appendix M—Field Assessment Offices and Central Office Supplemental Security Income (SSI) Analysis Components

Boston
SSI Analysis Branch, Room 1607, 100 Summer Street, Boston, Massachusetts 02110.
New York
SSI Analysis Branch, Room 34–110, 26 Federal Plaza, New York, New York 10278.
Philadelphia
SSI Analysis Branch, P.O. Box 8229, Philadelphia, Pennsylvania 19101.
Atlanta
SSI Analysis Branch, P.O. Box 1684, Suite 1804, 101 Marietta Tower, Atlanta, Georgia 30301.
Chicago
SSI Analysis Branch, 14th Floor, 300 South Wacker Drive, Chicago, Illinois 60606.
Dallas
SSI Analysis Branch, Room 2235, 1200 Main Tower, Dallas, Texas 75202.
Kansas City
SSI Analysis Branch, P.O. Box 15507, Kansas City, Missouri 64106.
Denver
SSI Analysis Branch, P.O. Box 3579, Denver, Colorado 80294.
San Francisco
SSI Analysis Branch, 22nd Floor, 100 Van Ness Avenue, San Francisco, California 94102.
Seattle
SSI Analysis Branch, Arcade Plaza Building, Mail Stop 217, 1321 Second Avenue, Seattle, Washington 98101.
Central Office
Office of Assessment, Division of Assistance and Records Operations Quality, P.O. Box 17040, Baltimore, Maryland 21235.

Office of the Assistant Secretary for Health

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09-37-0017 Proceedings of the Board for Correction of Public Health Service Commissioned Corps Records, HHS/OASH/OM
09-37-0019 National Medical Expenditure Survey, HHS/OASH/NCHSR
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09-37-0021 AIDS Cost and Service Utilization Survey (ACSUS), HHS/OASH/NCHSR.

09-37-0001

System name:

Office of the Assistant Secretary for Health Correspondence Control System, HHS/OASH/OM.

Security classification:

None.

System location:

Public Health Service Executive Secretariat, Room 710H, Hubert H. Humphrey Building, 200 Independence Ave. SW, Washington, DC 20201
Office of Population Affairs, OASH, 200 Independence Ave. SW, Washington, DC 20201
National Center for Health Services Research and Health Care Technology Assessment, Parklawn Building, Room 18-23, 5600 Fishers Lane, Rockville, Maryland 20857 and
Federal Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system:

Individuals who have contacted either the Assistant Secretary for Health, the Surgeon General, a Deputy Assistant Secretary, or a PHS Staff Office Director, or have been contacted in writing by one of these officials.

Categories of records in the system:

Hard copies of the actual correspondence, 3 x 5 card file, and computer or word processor printout and tape or disk control system records of that correspondence.

Authority for maintenance of the system:

5 U.S.C. 301 Departmental Regulations.

Purpose(s):

To control and track all correspondence documents addressed or directed to the Assistant Secretary for Health or his subordinates as indicated above, as well as documents initiated by them, in order to assure timely and appropriate attention.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Correspondence records are maintained in hard copy. Control records are maintained in 3 x 5 card file and on computer or word processor printout, tape, and disk.

Retrievability:

Hard copy records are indexed alphabetically by name of addressee and date of outgoing correspondence; or by name of sender and date of incoming correspondence; or by subject. Records may also be cross-referenced.

Safeguards:

1. Authorized Users: Office directors, correspondence assistants, and professional and support staff with designated functional responsibilities directly relating to the purpose of the correspondence.

2. Procedural Safeguards: Confidential and/or sensitive documents are either handcarried or transmitted in sealed envelopes. Employees who handle correspondence are instructed to observe established office procedures to protect correspondence documents from unauthorized access. The computerized subsystem is protected by passwords assigned to specific correspondence assistants; passwords are changed periodically; the password is changed when a correspondence assistant terminates employment.

3. Physical Safeguards: 24-hour guard service in buildings, locked rooms after office hours, lockable file cabinets, word processing disks are off-loaded and stored when not in use.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the Office of the Assistant Secretary for Health records control schedule. The records control schedule may be obtained by writing to the appropriate System Manager at the address for that official which is indicated under System Location above.

System manager(s) and address:

Director, Public Health Service Executive Secretariat (address as above), Staff Assistant to the Deputy Assistant Secretary for Population Affairs (address as above); Director, National Center for Health Services Research and Health Care Technology Assessment (address as above). Policy coordination is provided by: Director, Office of Organization and Management, Office of Management, Room 17-51, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Inquiries should indicate the name of the individual with whom the Office of the Assistant Secretary for Health corresponded, the date of the incoming correspondence, if any, and the date of the outgoing correspondence. Inquiries should be addressed to the appropriate System Manager, listed above, not to the policy coordination official.

Record access procedures:

Same as notification procedures. Requesters must state that they are who they claim to be, and understand that obtaining information under false pretenses is subject to a maximum statutory penalty of 5,000.00 dollars.

Requesters may also ask for an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Contact the appropriate System Manager at the address for that official specified under System Location above, and reasonably identify the record, specify the information to be contested, the corrective action sought, and the reason for seeking the correction, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Records are derived from incoming correspondence to, and the outgoing correspondence of, the Assistant Secretary for Health or his subordinates as indicated above.

Systems exempted from certain provisions of the act:

None.

09-37-0002

System name:

PHS Commissioned Corps General Personnel Records, HHS/OASH/OSG.

Security classification:

None.

System location:

Division of Commissioned Personnel, Office of the Surgeon General/OASH, Room 4-35, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Records in this system are kept at the address shown above when the person to whom the record pertains has an active relationship with the PHS Commissioned Corps personnel system. Records for inactive reserve officers, who are not ready reserve, who have a potential active relationship with the PHS Commissioned Corps personnel system, are maintained at the address above.

PHS Health Data Center, GW Long Hansen's Disease Center,
Building 12, Carville, Louisiana 70721.

If an inactive officer changes status, his or her records are returned to the Division of Commissioned Personnel for disposition.

Records for individuals who no longer have an active relationship with the PHS Commissioned Corps personnel system are sent to the following locations after one year.

National Personnel Record Center, Civilian Personnel Records,
111 Winnebago Street, St. Louis, Missouri 63118.

Records for retired officers are also sent to St. Louis after four years. When retired officers become deceased, the records are returned to DCP for one year and then returned to St. Louis. Records in this system that are kept at the St. Louis location are considered closed. A record is closed two years from the date on which one of the following occurs: A final decision has been made that an applicant is no longer under consideration for an appointment to the commissioned corps; the person to whom the record pertains has permanently severed all ties with PHS; or the person to whom the record pertains is deceased.

Critical data that can be used to construct key actions concerning an individual's appointment, creditable service, compensation, retirement, or benefits may be microfiched and stored at a location apart from the system locations shown above to serve as an emergency data base in the event the original records are destroyed. Because this data is intended to be used only in the event that the original records are destroyed, it includes only duplicates of existing records maintained at the system locations shown above. For this reason, disclosure from and access to this data will generally be unnecessary, since requests for disclosure or access will be granted from the original records.

Names and addresses of contractors given information under routine use 9 can be obtained from the system manager at the Rockville, Maryland location identified above.

Categories of individuals covered by the system:

Individuals who are part of or who have some relationship with the Public Health Service (PHS) Commissioned Corps, including: Active duty commissioned officers, former commissioned officers, inactive reserve officers, retired commissioned officers, deceased commissioned officers, dependents and survivors of the above, former spouses of retired officers, and applicants to the PHS Commissioned Corps.

Categories of records in the system:

These records contain:

1. Applications for appointment, references and other documents relating to qualifications or suitability for appointment and assignment, including medical intern and residency evaluations;

2. Official Personnel Folders (OPFs), for all officers who are, or were at one time, on active duty, which include: All documents related to the application and appointment process; effectiveness reports; career development and training records; documents relating to assignment, promotion, retention, separation, and all other personnel actions; records of personnel actions relating to pay, travel, and allowances (including overseas educational allowances for dependents); documentation of dependant status used to determine entitlement or eligibility for benefits and identification and privilege cards; applications and records of Service action relating to the Commissioned Officer Residency Deferment Program and Commissioned Officer Student Training and Extern Programs; survivor benefit elections; information supporting officer awards, honors and commendations; documentation supporting non-board terminations and reprimands issued after final administrative action; pay records and medical data after separation or death of the subject individual; and leave records;

3. Worksheets, internal forms, internal memoranda, and other documents which result in, or contribute to an action resulting in a record identified in 2. above;

4. Service Record Cards (summarizing personnel actions); and

5. Correspondence relating to the above.

Authority for maintenance of the system:

The Public Health Service Act (42 United States Code (U.S.C.) 202-217, 218a, 224, 228, 233, and other pertinent sections); The Social Security Act (42 U.S.C. 410(m) et seq.); portions of Title 10, U.S.C., related to the uniformed services; portions of Title 37, U.S.C., related to pay and allowances for members of the uniformed services; portions of Title 38, U.S.C., related to benefits administered by the Veterans Administration; sections of 50 U.S.C. App., related to the selective service obligation and the Soldiers' and Sailors' Civil Relief Act; Executive Order (E.O.) 9397, "Numbering System for Federal Accounts Relating to Individual Persons;" E.O. 10450, "Security Requirements for Government Employment;" and E.O. 11140, which delegates the authority to administer the PHS Commissioned Corps from the President to the Secretary, DHHS.

Purpose(s):

The information is used by the Office of the Surgeon General (OSG), the Division of Commissioned Personnel (DCP) and Agency Heads and personnel officials of Agencies where Commissioned Officers are assigned, to:

1. Determine qualifications and suitability for appointment, selection, career development, training, promotions, assignments, mobilization, temporary duty, and other types of officer utilization;

2. Determine eligibility for pay, allowances, entitlements, privileges, and benefits;

3. Prepare the Commissioned Officer Roster and Promotion Seniority of the Public Health Service;

4. Determine the eligibility or entitlements of dependents and beneficiaries for benefits based on the service of a PHS commissioned officer;

5. Give legal force and effect to personnel transactions and establish officer rights and obligations under the pertinent laws and regulations governing the commissioned corps personnel system;

6. Provide material for research by the Office of the Secretary, HHS, and the Office of the Assistant Secretary for Health, PHS, concerning the activities of health professionals.

7. Provide information to DHHS components seeking to collect an overdue debt to the Federal government, but only to the extent necessary to collect that overdue debt; and

8. Provide information about professional qualifications, past performance, and career interests of PHS officers to Department and Agency officials involved in the selection or assignment of an officer to a particular program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records or information from these records may be used:

1. To locate individuals for personnel research or survey response, and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such as way as to make the data individually identifiable by inference.

2. To disclose information to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. To the Department of Justice, to a court or other tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice,

the court, or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records are collected.

4. To disclose information, such as, but not limited to, name, home address, social security number, earned income, withholding status, and amount of taxes withheld, to the Department of Treasury for the following purposes: Preparation and issuance of salary, retired pay, and annuity checks; issuance of U.S. Savings bonds; recording income information; and collecting income taxes.

5. To disclose to State and local government agencies having taxing authority pertinent records relating to employees, retirees, and annuitants, including name, home address, social security number, earned income, and amount of taxes withheld, when these agencies have entered into tax withholding agreements with the Secretary of Treasury, but only to those State and local taxing authorities for which a member, retiree, or annuitant is or was subject to tax, regardless of whether tax is or was withheld.

6. To disclose pertinent information to appropriate Federal, State, or local agencies; international agencies; or foreign governments responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, regulations, or orders, when PHS becomes aware of evidence of a potential violation of civil or criminal law.

7. To disclose information to an individual who has been asked to provide a reference, to the extent necessary to clearly identify the individual to whom the reference will pertain, inform the source of the purpose(s) of the reference, and to identify the type of information requested from the source, where necessary to obtain information relevant to an agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit.

8. To disclose to any agency in the executive, legislative, or judicial branch; the District of Columbia Government; a State or local government agency; a professional credentialing agency; or a nonprofit institution; in response to its request, or at the initiation of the Public Health Service, information in connection with the hiring of an employee; the issuance of a security clearance; the conducting of a security or suitability investigation of an individual; the classifying of jobs; the letting of a contract; the issuance of a license, grant or other benefit by the requesting agency; or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. Information disclosed to professional credentialing or licensing organizations may be made through the computer matching program described in the Federal Register, January 19, 1986 (52 FR 1302).

9. When the Department contemplates contracting with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system, relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. These safeguards are explained in the section entitled "Safeguards."

10. To disclose information to the Department of State and officials of foreign governments for the issuance of passports, visas, and other clearance before an active, retired, or inactive reserve officer is assigned to that country.

11. To disclose information to the Department of Labor, Veterans Administration, Social Security Administration, or other Federal agencies having special employee benefit programs; to a national, State, county, or municipal agency; or to a publicly recognized charitable organization when necessary to adjudicate a claim under a benefit program, or to conduct analytical studies of benefits being paid under such programs, provided such disclosure is consistent with the purposes for which the information was originally collected.

12. To disclose information to the Office of Management and Budget (OMB) at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19, or for budgetary or management oversight purposes.

13. When an individual to whom a record pertains is mentally incompetent or under other legal disability, information in the individual's record may be disclosed to any person who is legally responsible for the care of the individual, to the extent necessary to assure payment of benefits to which the individual is entitled.

14. To respond to interrogatories in the prosecution of a divorce action or settlement for purposes stated in 10 U.S.C. 1408 ("The Former Spouses' Protection Act").

15. To disclose information about the entitlements and benefits of a beneficiary of a deceased active duty officer, retiree, or annuitant for purposes of making disposition of the estate.

16. To disclose information to the Department of Defense, United States Coast Guard, or Federal Emergency Management Agency, to the extent necessary to facilitate participation of PHS members in planning, training, and emergency operations in support of civil defense activities, and to provide support in the event of a national emergency.

17. To disclose information to Government training facilities (Federal, State, and local) and to non-Government training facilities (e.g., private vendors of training courses or programs, private schools) for training purposes, such as crediting of work experience in the Commissioned Office Student Training and Extern Program, or verification of status or income.

18. To disclose information to the Defense Enrollment/Eligibility Reporting System (DEERS), uniformed services medical treatment facilities and to the Department of Defense Office of the Civilian Health and Medical Program of the Uniformed Services, when the information is needed to verify the eligibility of an officer, his/her dependents, or a former spouse for medical benefits.

19. To disclose information to agencies or organizations established in medically underserved areas who apply to the National Health Service Corps for the assignment of commissioned officers to such agencies or organizations.

20. To disclose information on officers assigned to Federal health care facilities to private sector (i.e., other than Federal, State, or local government) agencies, boards, or commissions (e.g. the Joint Commission on Accreditation of Hospitals), to obtain accreditation or other approval rating but only to the extent that the information disclosed is relevant and necessary for that purpose.

21. When Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department may make such records available.

22. To disclose to a private employer who is considering hiring a former officer information such as the officer's dates of employment, salary, job title and description, duty station, and character and nature of separation.

23. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

24. To disclose to Federal and non-Federal agencies information allowing the consideration and selection of officers for honor awards made as a result of the individuals work as a commissioned officer, and to publicize those awards granted. This may include disclosure to other public and private organizations, including news media, which grant or publicize officer awards and honors.

25. To disclose information to officials of the Selective Service System to allow crediting of active service performed by an individual with PHS so that the individual may be properly classified if draft laws once again become operative.

26. To disclose administrative and personnel information, including data elements reflected in the Officer Information Summary (OIS), to authorized officials in Federal agencies where commissioned officers are assigned, such as the State Department; the Department of Defense; the Department of Justice, Bureau of Prisons and the Immigration and Naturalization Service; the Transportation Department, United States Coast Guard; the Environmental Protection Agency; the Interior Department, United States Park Service; and the Commerce Department, National Oceanic and Atmospheric Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Automated files are stored on disks, microfiche, and magnetic tapes. Nonautomated (hard-copy) files are kept in offices, and may be stored in Lektrievers, Conserv-a-files, safes, cabinets, bookcases, or desks.

Retrievability:

Alphabetically by name, by PHS serial number, and by Social Security Number in accordance with Section 7(a)(2)(B) of the Privacy Act and Executive Order 9397, "Numbering System for Federal Accounts Relating to Individual Persons".

Safeguards:

1. Authorized Users

a. Automated Records. Access to and use of automated records is limited to (1) personnel employed in the Office of the Surgeon General, (2) personnel employed in the Division of Commissioned

Personnel, Office of the Surgeon General/PHS, (3) authorized officials in HHS components and organizations where commissioned officers are assigned whose official duties require such access and (4) authorized officials in other Federal agencies, such as those in routine use 26 above, where commissioned officers are assigned whose official duties require such access. Automated data is provided to Department personnel officials to update information contained in their personnel records and pay, leave and attendance systems. The Commissioned Officers and Field Systems Division (COFSD), Office of the Assistant Secretary for Personnel, provides computer design, programming and support to DCP, and has access to the data to the extent necessary to facilitate the provision of these services to DCP. However, COFSD personnel are not authorized to grant access to or make disclosures from automated data in this system to anyone (ital.) or any organization (ital.) without the express written approval of the Director of DCP or to an official to whom this authority has been delegated.

b. Nonautomated records. Access to and use of nonautomated records is limited to departmental employees whose official duties require such access or to individuals needing access to the information for purposes stated under routine uses. These individuals are permitted access to records only after they have satisfactorily identified themselves as having an official need to review the information and have provided satisfactory proof of their identities. Access is also granted to individuals who have written permission to review the record when that permission has been obtained from the individual to whom the record pertains. All individuals from outside the Department, to whom disclosure is made pursuant to a routine use, must complete Privacy Act nondisclosure oaths and must submit written requests for access to these records showing the name and employing office of the requester, the date on which the record is requested, and the purpose for reviewing the information in the record. This written request is then placed into the record.

2. Physical safeguards

a. Automated records. Terminals by which automated records are accessed are kept in offices secured with combination locks. Automated records on magnetic tape, disks, and other computer equipment are kept in rooms designed to protect the physical integrity of the record media and equipment. These rooms are within inner offices to which access is permitted only with special clearance. Outer offices are secured with combination locks. During nonwork hours all cabinets, storage facilities, rooms and offices are locked and the premises are patrolled regularly by building security forces.

b. Nonautomated records. Nonautomated records are kept in such a way as to prevent observation by unauthorized individuals while the records are actively in use by an authorized employee. When records are not in use, they are closed and secured in desk drawers with locks, metal filing cabinets with locks, or other security equipment, all of which are kept inside authorized office space which is locked whenever it is not in use. Keys to furniture and equipment are kept only by the individual who is assigned to that furniture or equipment and by the DCP security officer or by the Director of the PHS Data Records Center.

3. Procedural safeguards

a. Automated records. Automated records are secured by assigning individual access codes to authorized personnel, and by use of passwords for specific records created by authorized personnel. Access codes and passwords are changed for each authorized user approximately every 90 days, on a random schedule. In addition, programming for automated records allows authorized personnel to access only those records that are essential to their duties. Remote access to automated data from remote terminals is restricted to the OSG and Agency personnel officials where Commissioned Officers are employed. No access is permitted to Agencies that do not have automated personnel recordkeeping systems that comply with Privacy Act requirements.

b. Nonautomated records. All files are secured when employees are absent from the premises and are further protected by combination locks on entryways and by the building security force. Official records may not be removed from the physical boundaries of DCP. When records are needed at a remote location, copies of the records will be provided. When copying records for authorized purposes, care is taken to ensure that any imperfect or extra copies are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines. Safeguards for automated records are provided in accordance with Part 6 of the Department's Information Resources Management Manual. Safeguards for nonautomated records are provided in accordance with chapters 45-13 and PHS.hf:45-13 of the Department's General Administration Manual.

5. Contractor Guidelines. A contractor who is given records under routine use 9 must maintain the records in a secured area, allow only those individuals immediately involved in the processing of the records to have access to them, prevent any unauthorized persons from gaining access to the records, caution employees about the confidentiality of the records, and return the records to the System Manager immediately upon completion of the work specified in the contract. Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records are instructed to make no disclosure of the records except as authorized by the System Manager.

Retention and disposal:

These records are maintained for varying periods of time. Applicant files of individuals selected for appointment as commissioned officers become the Official Personnel Folder. Applicant files of individuals not selected for appointment are maintained for two years after the application process has been completed and are then destroyed, unless an applicant requests that the file be held open for an additional year. The OPF is maintained for one year after an officer separates from active duty, at which time such officer's OPF is transferred to a Federal Records Center for permanent storage. The OPF for inactive reserve officers is maintained at the PHS Health Date Center. When inactive reserve officers change status, the OPF is returned to DCP.

The records of a deceased officer are maintained until one year after an individual's death and are then transferred to a Federal Records Center for permanent storage, unless a dependent of a deceased officer continues to receive benefits from PHS based upon the deceased's PHS service. When a dependent or beneficiary dies or becomes ineligible for further benefits based on a deceased officer's service, all records are maintained for one year, in the event information is needed from the records to help settle an estate, and are then transferred to the Federal Records Center for permanent storage.

Service Record Cards, which list critical data with regard to the dates of all officers' appointments, reassignments, separations, retirements and deaths are maintained permanently by the System Manager.

System manager(s) and address:

Director, DCP (See System Location above).

Notification procedure:

Same as Access Procedures. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

1. General procedures. An individual seeking access to his/her records may initially contact any DCP office or employee for information about obtaining access to the records. DCP employees will inform each individual of the appropriate procedures to follow. Each individual seeking access will be required to verify his/her identity to the satisfaction of the DCP employee providing access. Refusal to provide sufficient proof of identity will result in denial of the request for access until such time as proof of identity can be obtained. The system manager, the Director, DCP, has delegated authority to release automated records to the Assistant Director for Operations, DCP and the authority to release nonautomated records to the DCP Privacy Act Coordinator and Branch Chiefs.

2. Requests in person. An individual who is the subject of a record and who appears in person seeking access shall provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, passport, or voter registration card). Identification cards with current photographs are preferred but not required. The record will be reviewed in the presence of an appropriate DCP employee, who will answer questions and ensure that the individual neither removes nor inserts any material into the record without the knowledge of the DCP employee. If the individual requests a copy of any records reviewed, the DCP employee will provide them to the individual. The DCP employee will record the name of the individual granted access, the dates and times of access, and information about the verification of identity on a separate log sheet maintained in the office of the DCP employee who reviewed the record.

3. Requests by mail. Written requests must be addressed to the System Manager or the DCP Privacy Act Coordinator, at the address shown as the system location above. All written requests must be signed by the individual seeking access. A comparison will be made of that signature and the signature maintained on file prior to release of the material requested. Copies of the records to which access has been requested will be mailed to the individual. The original version of a record will not be released except in very unusual situations when only the original will satisfy the purpose of the request.

4. Requests by phone. Because positive identification of the caller cannot be established with sufficient certainty, telephone requests for access to records generally will not be honored.

5. Accounting of Disclosures. An individual who is the subject of records maintained in this record system may also request an accounting of all disclosures that have been made from that individual's records, provided that disclosures have in fact been made.

Contesting record procedures:

Contact the System Manager at the address specified under System Location above and reasonably identify the record. Specify the information being contested. State the corrective action sought, with supporting justification, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

From individual officers, applicants, persons providing references, dependents, former spouses of retired officers, governmental and private training facilities, health professional licensing and credentialing organizations, government officials and employees and from the records contained in the following systems: 09-37-0003, "PHS Commissioned Corps Medical Records," HHS/OASH/OSG/ 09-37-0005, "PHS Commissioned Corps Board Proceedings," HHS/OASH/OSG; 09-37-0006, "PHS Commissioned Corps Grievance, Investigatory, and Disciplinary Files," HHS/OASH/OSG/ 09-37-0008, "PHS Commissioned Corps Unofficial Personnel Files and Other Station Files," HHS/OASH/OSG; and 09-90-0017; "Pay, Leave and Attendance Records," HHS/OS/ASPER.

Systems exempted from certain provisions of the act:

None.

09-37-0003

System name:

PHS Commissioned Corps Medical Records, HHS/OASH/OSG.

Security classification:

None.

System location:

Medical Branch, Commissioned Personnel Operations Division, Room 4A-07, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Records in this system are kept at the address shown above for the period of time during which the person to whom the record pertains has an active or potentially active relationship with the PHS Commissioned Corps personnel system. Two years from the time the relationship ceases to be active, the records are combined with the Official Personnel File in record system 09-37-0002 and transferred to the storage facility at the address shown below:

General Services Administration, Federal Records Center, 111
Winnebago Street, St. Louis, MO 63118

Names and addresses of contractors given information under routine use 5 can be obtained from the system manager at the first location identified above.

Categories of individuals covered by the system:

PHS commissioned officers (including active, inactive, terminated, retired and deceased officers); applicants to the commissioned corps; and incapacitated dependents of officers when officers request certification of dependents' incapacities.

Categories of records in the system:

Medical files and records on individuals identified above; medical board records from Medical Review Boards—General and Psychiatric, and Appeals Boards, including board reports, any records of discussions held by board members, and supporting medical documents; death case files and supporting documents; and correspondence relating to the above.

Authority for maintenance of the system:

The Public Health Service Act (42 U.S.C. 202-217, 218a, 224, 228, 233, and other pertinent sections); The Social Security Act (42 U.S.C. 410(m) et seq.); portions of Title 10, U.S.C., related to the uniformed services; portions of Title 37, U.S.C., related to pay and allowances for members of the uniformed services; portions of Title 38, U.S.C., related to benefits administered by the Veterans' Administration; sections of 50 U.S.C. App., related to the selective service obligation and the Soldiers and Sailors' Civil Relief Act; Executive Order (E.O.) 9397, "Numbering System for Federal Accounts Relating to Individual Persons;" E.O. 10450, "Security Requirements for Government Employment;" and E.O. 11140, which delegates the authority to administer the PHS Commissioned Corps from the President to the Secretary, DHHS.

Purpose(s):

The information is used by the Commissioned Personnel Operations Division (CPOD) to:

1. Evaluate applicant for appointment and officers for reassignment and fitness for duty;

2. Make determinations about the level of an officer's disability and entitlement to disability severance or retired pay;

3. Make determinations about the level of a dependent's disabilities or incapacities which may make the dependent eligible for benefits from PHS;

4. Make budgetary estimates about the cost of disability severance and retired pay;

5. Prepare reports or provide statistical information relating to the medical status of officers;

6. Provide information relating to the death of officers to the Social Security Administration or other Department components to determine the social security benefits or other benefits which may be available to the survivors of deceased officers;

7. Provide information to help adjudicate post-service claims for benefits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information from these records may be used:

1. To disclose information to the Veterans' Administration, Bureau of Prisons (Department of Justice), Coast Guard (Department of Transportation), Agency for International Development (Department of State), Department of Defense, Environmental Protection Agency, and other Federal agencies where commissioned officers are assigned or are receiving medical treatment, to ensure continuity of care.

2. To disclose information to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. To promote continuity of care by supplying information to medical care facilities and/or practitioners who, under contract or due to an emergency, provide treatment to officers and their dependents.

4. When an individual to whom a record pertains is mentally incompetent or under other legal disability, information in the individual's record may be disclosed to any person who is legally responsible for the care of the individual, to the extent necessary to assure payment of benefits to which the individual is entitled.

5. When the Department contemplates contracting with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. These safeguards are explained in the section entitled "Safeguards."

6. In the event of litigation where the defendant is:

a. The Department, any component of the Department, or any employee of the Department in his or her official capacity;

b. The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

c. Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Automated files are stored on disks, microfiche, and magnetic tapes. Nonautomated (hard-copy) files are kept in offices, and stored in Lektrievers, Conserv-a-files, safes, cabinets, bookcases, or desks.

Retrievability:

Alphabetically by name, by PHS serial number, and by Social Security Number in accordance with Section 7(a)(2)(B) of the Privacy Act and Executive Order 9397, "Numbering System for Federal Accounts Relating to Individual Persons".

Safeguards:

1. Authorized Users.

a. Automated Records. Access to and use of automated records is limited to personnel employed in the Medical Branch, and certain employees of the Office of the Director, CPOD. Selected information may be released to employees in the Commissioned Personnel Operations Division, Office of Personnel Management, OM, whose official duties require such access. The Commissioned Officers Systems Division (COSD), Office of Human Resource Information Management, Office of the Assistant Secretary for Personnel Administration, Office of the Secretary, provides computer design, programming and support to CPOD, and has access to the data to the extent necessary to facilitate the provision of these services. However, COSD personnel are not authorized to grant access to or make disclosures from automated data in this system to anyone or any organization.

b. Nonautomated records. Access to and use of nonautomated records is limited to Medical Branch, CPOD employees, certain members of the Office of the Director, CPOD, departmental employees whose official duties require such access, or to individuals needing access to the information for purposes stated under routine uses. These individuals are permitted access to records only after they have satisfactorily identified themselves as having an official need to review the information and have provided satisfactory proof of their identities. Access is also granted to individuals who have written permission to review the record when that permission has been obtained from the individual to whom the record pertains. All individuals other than CPOD employees must complete Privacy Act nondisclosure oaths and must submit written requests for access to these records showing the name and employing office of the requester, the date on which the record is requested, and the purpose for reviewing the information in the record. This written request is then placed into the record.

2. Physical safeguards.

a. Automated records. Terminals by which automated records are accessed are kept in offices secured with combination locks. Automated records on magnetic tape, disks, and other computer equipment are kept in rooms designed to protect the physical integrity of the record media and equipment. These rooms are within inner offices to which access is permitted only to those with special clearance. Outer offices are secured with combination locks. During nonwork hours all cabinets, storage facilities, rooms and offices are locked and the premises are patrolled regularly by building security forces.

b. Nonautomated records. Nonautomated records are kept in such a way as to prevent observation by unauthorized individuals while the records are actively in use by an authorized employee. When records are not in use, they are closed and secured in desk drawers with locks, metal filing cabinets with locks, or other security equipment, all of which are kept inside authorized office space which is locked whenever it is not in use. Keys to furniture and equipment are kept only by the individual who is assigned to that furniture or equipment and by the CPOD security officer.

3. Procedural safeguards.

a. Automated records. Automated records are secured by assigning individual access codes to authorized personnel, and by use of passwords for specific records created by authorized personnel. Access codes and passwords are changed for each authorized user approximately every 90 days, on a random schedule. In addition, programming for automated records allows authorized personnel to access only those records that are essential to their duties. No access is permitted to automated records from remote terminal sites maintained by individuals or organizations outside of OPM.

b. Nonautomated records. All files are secured when employees are absent from the premises and are further protected by combination locks on entryways and by the building security force. Official records may not be removed from the physical boundaries of Medical Branch, CPOD. When records are needed at a remote location, copies of the records will be provided. When copying records for authorized purposes, care is taken to ensure that any imperfect or extra copies are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines. Safeguards for automated records are provided in accordance with Part 6 of the Department's Information Resources Management Manual. Safeguards for nonautomated records are provided in accordance with chapters 45-13 and PHS.hf:45-13 of the Department's General Administration manual.

5. Contractor Guidelines. A contractor who is given records under routine use 6 must maintain the records in a secured area, allow only those individuals immediately involved in the processing of the records to have access to them, prevent any unauthorized persons from gaining access to the records, caution employees about the confidentiality of the records, and return the records to the System Manager immediately upon completion of the work specified in the contract. Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records are instructed to make no disclosure of the records except as authorized by the System Manager.

Retention and disposal:

When an officer terminates his/her commission, records are incorporated into the Official Personnel Folder (see system 09-37-0002, "PHS Commissioned Corps Personnel Files" for more information) and transferred to a Federal Records Center within two years after the officer is separated from the commissioned corps. Medical records on nonselected applicants are destroyed after five years. Records of retirees are incorporated into their OPF's following retirement and are retained and disposed of in accordance with procedures explained in system 09-37-0002, unless the individual is on the temporary disability retirement list, in which case the file is maintained under the same conditions as an active duty officer's file until the individual is permanently retired, returned to active duty, or terminated. Medical records of a dependent incapable of self support are maintained until the dependent is no longer eligible for benefits from PHS for which time the records are transferred to a Federal Records Center for permanent storage.

System manager(s) and address:

Director, CPOD (See System location above).

Notification procedure:

Same as Access Procedures. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

1. General procedures. An individual seeking access to his/her records may initially contact any CPOD office or employee for information about obtaining access to the records. CPOD employees will inform each individual of the appropriate procedures to follow. Each individual seeking access will be required to verify his/her identity to the satisfaction of the CPOD employee providing access. Refusal to provide sufficient proof of identity will result in denial of the request for access until such time as proof of identity can be obtained.

If a determination is made that the material sought contains medical information that is likely to have an adverse effect on the requester, the requester shall be asked to designate in writing a responsible representative who will be willing to review the record and inform the subject individual of the material's contents at the representative's discretion. Such a representative must provide proof that he/she is duly authorized to review the record by either the individual or the individual's legal guardian. A parent or guardian who requests notification of, or access to, a dependent/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify his/her relationship to the dependent/incompetent person as well as his/her own identity.

2. Requests in person. An individual who is the subject of a record and who appears in person seeking access shall provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, passport, or voter registration card). Identification cards with current photographs are preferred but not required. The record will be reviewed in the presence of an appropriate CPOD employee, who will answer questions and ensure that the individual neither removes nor inserts any material into the record without the knowledge of the CPOD employee. If the individual requests a copy of any records reviewed, the CPOD employee will provide them to the individual. The CPOD employee will record the name of the individual granted access, the dates and times of access, and information about the verification of identity on a separate log sheet maintained in the office of the CPOD employee who reviewed the record.

3. Requests by mail. Written requests must be addressed to the System Manager, the CPOD Privacy Act Coordinator, or the Medical Branch at the address shown as the system location above. All written requests must be signed by the individual seeking access. A comparison will be made of that signature and the signature maintained on file prior to release of the material requested. Copies of the records to which access has been requested will be mailed to the individual. The original version of a record will not be released except in very unusual situations when only the original will satisfy the purpose of the request.

4. Requests by phone. Because positive identification of the caller cannot be established with sufficient certainty, telephone requests for access to records generally will not be honored.

5. Accounting of Disclosures. An individual who is the subject of records maintained in this record system may also request an accounting of all disclosures that have been made from that individual's records, provided that disclosures have in fact been made.

Contesting record procedures:

Contact the System Manager at the address specified under System Location above and reasonably identify the record. Specify the information being contested. State the corrective action sought, with supporting justification, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

From individual officers and other commissioned corps officials; applicants; private and Government physicians; hospitals and clinics rendering treatment; investigative reports; records contained in system 09-37-0002, "PHS Commissioned Officer Personnel Records," HHS/OASH/OM; records from system 09-15-0008, "Emergency Non-PHS Treatment Authorization File, HHS/HRSA/BHCDA;" records from system 09-15-0029, "PHS Beneficiary-Contract Medical/Health Care Records, HHS/HRSA/BHCDA;" death certificates and reports of death; and from survivors and executors of estates.

Systems exempted from certain provisions of the act:

None.

09-37-0005

System name:

PHS Commissioned Corps Board Proceedings, HHS/OASH/OSG.

Security classification:

None.

System location:

Commissioned Personnel Operations Division, Office of Personnel Management/OM/PHS, Room 4-35, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Names and addresses of contractors given information under routine use 4 can be obtained from the system manager at the address shown above.

Categories of individuals covered by the system:

Commissioned officers (including active, inactive, terminated, retired, and deceased officers) and applicants to the PHS Commissioned Corps.

Categories of records in the system:

The categories of records in the system consist of the following:

1. Commissioned Officers Awards Board files consisting of nominations, citations, and related documents.

2. Appointment Board files consisting of applications, references, school transcripts, transmutation charts, and other materials used in the appointment examination process.

3. Promotion Board files consisting of Commissioned Officer Effectiveness Reports (COERs), recommendations from PHS components, citations and awards, information pertaining to disciplinary actions, and other materials used to examine candidates for promotion.

4. Involuntary Separation Board files consisting of COERs, PHS component recommendations with respect to separations, information pertaining to disciplinary actions, references, and statements of the officer with respect to marginal or substandard performance.

5. Board of Inquiry files consisting of COERs, PHS component allegations of misconduct, documentation relating to misconduct, and statements of the officer relating to alleged instances of misconduct.

6. Retirement Board files consisting of COERs, PHS component evaluations on the continued need for the officer, and statements of the officer concerning his/her request for retirement.

7. Dental Officer Special Pay Review Board files consisting of COERs, Continuation Pay and Additional Special Pay contracts, certification of eligibility by PHS components, school transcripts, and related documents.

8. Medical Officer Special Pay Review Board files consisting of performance evaluations, retention special pay contracts, certification of eligibility by PHS components, school transcripts, and related documents.

9. Assimilation Board files consisting of performance evaluations, PHS component recommendations, awards and citations, and information pertaining to disciplinary actions.

10. Three-Year File Review Board files consisting of performance evaluations, recommendations from PHS components, citations and awards, and information pertaining to disciplinary actions.

11. Chief Professional Officer Nominating Board files, consisting of recommendations from PHS programs and officials, curriculum vitae for all those considered during the nomination process, evaluation materials concerning each candidate, and other material used by the Board in its deliberations;

12. Flag Officer Billet Assignment Board and Flag Officer Nomination Board records consisting of recommendations from PHS programs and officials, curriculum vitae for all those concerned during the nomination process, evaluation materials concerning each candidate, and other material used by the Boards during deliberations.

13. Records from other Board processes instituted as part of the administration of the PHS Commissioned Corps personnel system.

Authority for maintenance of the system:

The Public Health Service Act (42 U.S.C. 202—217, 218a, 224, 228, 233, and other pertinent sections); The Social Security Act (42 U.S.C. 410(m) et seq.); portions of Title 10, U.S.C., related to the uniformed services; portions of Title 37, U.S.C., related to pay and allowances for members of the uniformed services; portions of Title 38 U.S.C. related to benefits administered by the Veterans Administration; sections of 50 U.S.C. App., related to the selective service obligation and the Soldiers' and Sailors' Civil Relief Act; Executive Order (E.O.) 9397, "Numbering System for Federal Accounts Relating to Individual Persons;" E.O. 10450, "Security Requirements for Government employment;" and E.O. 11140, which delegates the authority to administer the PHS Commissioned Corps from the President to the Secretary, DHHS.

Purpose(s):

Used by PHS Commissioned Corps Boards to recommend or decide on appropriate actions in the areas of commissioned corps personnel administration listed above, and by the Commissioned Personnel Operations Division (CPOD) in the preparation of the "PHS Commissioned Officer Roster and Promotion Seniority of the Public Health Service," which contains the names and status of officers on active duty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records or information from these records may be used:

1. To disclose information to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with thepurpose for which the records were collected.

3. To disclose pertinent information to appropriate Federal, State, or local agencies; international agencies; or foreign governments responsible for investigation, prosecuting, enforcing, or implementing statutes, rules, regulations, or orders, when PHS becomes aware of evidence of a potential violation of civil or criminal law.

4. When the Department contemplates contracting with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. These safeguards are explained in the section entitled "Safeguards."

5. To disclose information to the Department of Labor, Veterans Administration, Social Security Administration, or other Federal agencies having special employee benefit programs, to a national, State, county, or municipal agency; or to a publicly recognized charitable organization when necessary to adjudicate a claim under a benefit program, or to conduct analytical studies of benefits being paid under such program, provided such disclosure is consistent with the purposes for which the information was originally collected.

6. To the Office of Management and Budget (OMB) at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19, or for budgetary or management oversight purposes.

7. To disclose information to Government training facilities (Federal, State, and local) and to non-Government training facilities (e.g., private vendors of training courses or programs, private schools) for training purposes, such as crediting or work experience in the Commissioned Officer Student Training and Extern Program, or verification of status or income.

8. When an individual to whom a record pertains is mentally incompetent or under other legal disability, information in the individual's record may be disclosed to any person who is legally responsible for the care of the individual, to the extent necessary to assure payment of benefits to which the individual is entitled.

9. To disclose to Federal and non-Federal agencies information allowing the consideration and selection of officers for honor awards made as a result of the individual's work as a commissioned officer, and to publicize those awards granted. This may include disclosure to other public and private organizations, including news media, which grant or publicize officer awards or honors.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information and files related to boards and their proceedings exist in hard-copy form, with supporting data stored on automated word processing tapes, microfiche, and disks.

Retrievability:

Alphabetically by name of officer for records in hard-copy form, and by access code for information stored on automated disks and tapes.

Safeguards:

1. Authorized Users.

a. Automated Records. Access to and use of automated records is limited to CPOD personnnel involved in the specific Board process for which the information was collected. Selected information may be release to employees in the Office of Personnel Management, OM, whose official duties require such access. The Commissioned Officers Systems Division (COSD), Office of Human Resource Information Management, Office of the Assistant Secretary for Personnel Administration, Office of the Secretary, provides computer design, programming and support to CPOD, and has access to the data to the extent necessary to facilitate the provision of these services. However, COSD personnel are not authorized to grant access to or make disclosures from automated data in this system to anyone or any organization.

b. Nonautomated records. Access to and use of nonautomated records is limited to CPOD personnel involved in the specific Board process for which the information was collected, departmental employees whose official duties require such access or to individuals needing access to the information for purposes stated under routine uses. Individuals other than CPOD employees are permitted access to records only after they have satisfactorily identified themselves as having an official need to review the information and have provided satisfactory proof of their identities. Access is also granted to individuals who have written permission to review the record when that permission has been obtained from the individual to whom the record pertains. All individuals from organizations outside the Department, to whom disclosure is made pursuant to a routine use, must complete Privacy Act nondisclosure oaths and must submit a written request for access to these records showing the name and employing office of the requester, the date on which the record is requested, and the purpose for reviewing the information in the record. This written request is then placed into the record.

2. Physical safeguards.

a. Automated records. Terminals by which automated records are accessed are kept in offices secured with combination locks. Automated records on magnetic tape, disks, and other computer equipment are kept in rooms designed to protect the physical integrity of the record media and equipment. These rooms are within inner offices to which access is prohibited except to those with special clearance for access into the area. Outer offices are secured with combination locks and the combinations are changed periodically. During nonwork hours all cabinets, storage facilities, rooms and offices are locked and the premises are patrolled regularly by building security forces.

b. Nonautomated records. Nonautomated records are kept in such a way as to prevent observation by unauthorized individuals while the records are actively in use by an authorized employee. When records are not in use, they are closed and secured in desk drawers with locks, metal filing cabinets with locks, or other security equipment, all of which is kept inside authorized office space which is locked whenever it is not in use. Keys to furniture and equipment are kept only by the individual who is assigned to that furniture or equipment and by the CPOD security officer.

3. Procedural safeguards.

a. Automated records. Automated records are secured by assigning individual access codes to authorized personnel, and by use of passwords for specific records created by authorized personnel. Access codes and passwords are changed for each authorized user approximately every 90 days, on a random schedule. In addition, programming for automated records allows authorized personnel to access only those records that are essential to their duties. No access is permitted to automated records from remote terminal sites maintained by individuals or organizations outside of OPM.

b. Nonautomated records. All files are secured when employees are absent from the premises and are further protected by combination locks on entryways, to which the combinations are periodically changed, and by the building security force. Official records may not be removed from the physical boundaries of the offices in which the personnel who work with the records are assigned unless the records are hand-carried and safeguarded by the individuals authorized to use the records. When copying records for authorized purposes, care is taken to ensure that any imperfect or extra copies are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines. Safeguards for automated records are provided in accordance with Part 6 of the Department's Information Resources Management Manual. Safeguards for nonautomated records are provided in accordance with chapters 45-13 and PHS.hf:45-13 of the Department's General Administration Manual.

5. Contractor Guidelines. A contractor who is given records under routine use 4 must maintain the records in a secured area, allow only those individuals immediately involved in the processing of the records to have access to them, prevent any unauthorized persons from gaining access to the records, caution employees about the confidentiality of the records, and return the records to the System Manager immediately upon completion of the work specified in the contract. Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records are instructed to make no disclosure of the records except as authorized by the System Manager.

Retention and disposal:

Material from board files which result in a personnel action affecting an individual are placed into the individual's OPF after the board has completed its deliberations and/or the action has been effected, and are then treated in the same manner as other material in system 09-37-0002, "PHS Commissioned Corps Personnel Records, HHS/OASH/OM," with the following exception: Files pertaining to involuntary separation/retirement boards and boards of inquiry are only incorporated into system 09-37-0002 to the extent required to provide sufficient documentation of an involuntary or adverse action. Remaining involuntary separation/retirement board or board of inquiry records remain in this system for as long as they are needed for administrative purposes, after which time they are destroyed by shredding.

System manager(s) and address:

Director, CPOD (See System Location above).

Notification procedure:

Same as Access Procedures. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

1. General procedures. An individual seeking access to his/her records may initially contact any CPOD office or employee for information about obtaining access to the records. CPOD employees will inform each individual of the appropriate procedures to follow. Each individual seeking access will be required to verify his/her identity to the satisfaction of the CPOD employee providing access. Refusal to provide sufficient proof of identity will result in denial of the request for access until such time as proof of identity can be obtained.

If a determination is made that the material sought contains medical information that is likely to have an adverse effect on the requester, the requester shall be asked to designate in writing a responsible representative who will be willing to review the record and inform the subject individual of the material's contents at the representative's discretion. Such a representative must provide proof that he/she is duly authorized to review the record by either the individual or the individual's legal guardian. A parent or guardian who requests notification of, or access to, a dependent/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify his/her relationship to the dependent/incompetent person as well as his/her own identity.

2. Requests in person. An individual who is the subject of a record and who appears in person seeking access shall provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, passport, or voter registration card). Identification cards with current photographs are preferred but not required. The record will be reviewed in the presence of an appropriate CPOD employee, who will answer questions and ensure that the individual neither removes nor inserts any material into the record without the knowledge of the CPOD employee. If the individual requests a copy of any records reviewed, the CPOD employee will provide them to the individual. The CPOD employee will record the name of the individual granted access, the dates and times of access, and information about the verification of identity on a separate log sheet maintained in the office of the CPOD employee who reviewed the record.

3. Requests by mail. Written requests must be addressed to the System Manager at the address shown as the system location above. All written requests must be signed by the individual seeking access. A comparison will be made of that signature and the signature maintained on file prior to release of the material requested. Copies of the records to which access has been requested will be mailed to the individual. The original version of a record will not be released except in very unusual situations when only the original will satisfy the purpose of the request.

4. Requests by phone. Because positive identification of the caller cannot be established with sufficient certainty, telephone requests for access to records generally will not be honored.

5. Accounting of Disclosures. An individual who is the subject of records maintained in this record system may also request an accounting of all disclosures that have been made from that individual's records, provided that disclosures have in fact been made.

Contesting record procedures:

Contact the System Manager at the address specified under System Location above and reasonably identify the record. Specify the information being contested. State the corrective action sought, with supporting justification, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

From individuals themselves or their service records; efficiency and progress reports; persons providing references; reports of findings and recommendations made by Board members; supervisors; private and Government physicians; hospitals and clinics rendering treatment; licensure and professional credentialing organizations; investigative reports; law enforcement organizations; court records; death certificates and reports of death; survivors and executors of estates; and records contained in systems 09–37–0002, "PHS Commissioned Corps Personnel Records," HHS/OASH/OM; 09–37–0003, "PHS Commissioned Corps Personnel Records," HHS/OASH/OM; 09-37-0006, "PHS Commissioned Corps Personnel Records," HHS/OASH/OM; "PHS Commissioned Corps Grievance, Investigatory, and Disciplinary Files," HHS/OASH/OM; and 09–37–0008, "PHS Commissioned Corps Unofficial Personnel Files and Other Station Files," HHS/OASH/OM.

Systems exempted from certain provisions of the act:

None.

09–37–0006

System name:

PHS Commissioned Corps Grievance, Investigatory, and Disciplinary Files, HHS/OASH/OSG.

Security classification:

None.

System location:

Office of the Director, Commissioner Personnel Operations Division Office of Personel Management/OM/PHS, Room 4–35, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Offices and organizations to which an individual commissioned officer is assigned. The exact location of any record may be obtained by contacting the Director, CPOD, at the address shown above.

Categories of individuals covered by the system:

PHS Commissioned Corps officers, including active duty, inactive, terminated, separated and deceased officers.

Categories of records in the system:

Files concerning grievances filed by or against commissioned officers; investigative files, records related to disciplinary actions, records related to involuntary retirements and involuntary separations (non-board or pre-board actions) taken against commissioned officers, and correspondence related thereto.

Authority for maintenance of the system:

The Public Health Service Act (42 U.S.C. 202–217, 218a, 224, 228, 233, and other pertinent sections); The Social Security Act (42 U.S.C. 410(m) et seq.); portions of Title 10, U.S.C., related to the uniformed services; portions of Title 37, U.S.C., related to pay and allowances for members of the uniformed services; portions of Title 38, U.S.C., related to benefits administered by the Veterans Administration; sections of 50 U.S.C. App., related to the selective service obligation and the Soldiers' and Sailors' Civil Relief Act; Executive Order (E.O.) 9397, "Numbering System for Federal Accounts Relating to Individual Persons;" E.O. 10450, "Security Requirements for Government Employment;" and E.O. 11140, which delegates the authority to administer the PHS Commissioned Corps from the President to the Secretary, DHHS.

Purpose(s):

Used by the Commissioned Personnel Operations Division (CPOD) to: Investigate allegations of misconduct or marginal and substandard performance; and to process and decide grievances, involuntary retirements, involuntary separations, or disciplinary actions. These records may also be used by officials elsewhere in the Department who have the authority to review or make decisions about grievances.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information from these records may be used:

1. To disclose information to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with thepurpose for which the records were collected.

3. To disclose pertinent information to appropriate Federal, State, or local agencies; international agencies; or foreign governments responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, regulations, or orders, when PHS becomes aware of evidence of a potential violation of civil or criminal law.

4. When Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department may make such records available.

5. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are stored primarily in hard-copy form in safes and locked metal filing cabinets in interior offices, with supporting data stored on automated word processing tapes, micro-fiche, and disks.

Retrievability:

Alphabetically by the name of the officer.

Safeguards:

1. Authorized Users.

a. Automated Records. Access to and use of automated records is limited to CPOD personnel involved in the grievance or investigation for which the information was collected. Selected information may be released to employees in the Office of Personnel Management, OPM, whose official duties require such access. The Commissioned Officers Systems Division (COSD), Office of Human Resource Information Management, Office of the Assistant Secretary for Personnel Administration, Office of the Secretary, provides computer design, programming and support to CPOD, and has access to the data to the extent necessary to facilitate the provision of these services. However, COSD personnel are not authorized to grant access to or make disclosures from automated data in this system to anyone or any organization.

b. Nonautomated records. Access to and use of nonautomated records is limited to CPOD personnel involved in the specific grievance or investigatory process for which the information was collected. These records may be copied and related to Departmental officials involved in a disicionmaking capacity in a given case. These individuals are permitted access to records only after they have provided satisfactory proof of their identities. Access is also granted to individuals, such as attorneys, who have written permission to review the record when that permission has been obtained from the individual to whom the record pertains. All individuals from organizations outside the Department, to whom disclosure is made pursuant to a routine use, must complete Privacy Act nondisclosure oaths and must submit a written request for access to these records showing the name and employing office of the requester, the date on which the record is requested, and the purpose for reviewing the information in the record. In certain cases, CPOD may require notarization of the document giving CPOD permission to disclose a record to a third party. This written request is then placed into the record.

2. Physical safeguards.

a. Automated records. Terminals by which automated records are accessed are kept in offices secured with combination locks, the combinations to which are changed periodically. Automated records on magnetic tape, disks, and other computer equipment are kept in rooms designed to protect the physical integrity of the record media and equipment. These rooms are within inner offices to which access is permitted only to those with special clearance. Outer offices are secured with combination locks and the combinations are changed periodically. During nonwork hours all cabinets, storage facilities, rooms and offices are locked and the premises are patrolled regularly by building security forces.

b. Nonautomated records. Nonautomated records are kept in such a way as to prevent observation by unauthorized individuals while the records are actively in use by an authorized employee. When records are not in use, they are closed and secured in desk drawers with locks, metal filing cabinets with locks, or other security equipment, all of which is kept inside authorized office space which is locked whenever it is not in use. Keys to furniture and equipment are kept only by the individual who is assigned to that furniture or equipment and by the CPOD security officer.

3. Procedural safeguards.

a. Automated records. Automated records are secured by assigning individual access codes to authorized personnel, and by use of passwords for specific records created by authorized personnel. Access codes and passwords are changed for each authorized user approximately every 90 days, on a random schedule. In addition, programming for automated records allows authorized personnel to access only those records that are essential to their duties. No access is permitted to automated records from remote terminal sites maintained by individuals or organizations outside of OPM.

b. Nonautomated records. All files are secured when employees are absent from the premises and are further protected by combination locks on entryways, to which the combinations are periodically changed, and by the building security force. Official records may not be removed from the physical boundaries of the offices in which the personnel who work with the records are assigned unless the records are hand-carried and safeguarded by the individuals authorized to use the records. When copying records for authorized purposes, care is taken to ensure that any imperfect or extra copies are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines. Safeguards for automated records are provided in accordance with Part 6 of the Department's Information Resources Management Manual. Safeguards for nonautomated records are provided in accordance with chapters 45-13 and PHS.hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Grievance files are destroyed after two years, or earlier if no longer needed for administrative purposes. Records which directly support personnel actions affecting an individual are placed into the individual's OPF after a final, official decision has been made and/or the action has been effected, and are then treated in the same manner as other material in system 09-37-0002, "PHS Commissioned Corps Personnel Records, HHS/OASH/OM." Investigatory records concerning cases in which no final decisions have been made, or which are ongoing over a period of time are kept indefinitely until a final decision is made. Records concerning cases which are closed or on which final action has been taken, but which are not essential to document or support the final action, are retained as long as they are needed for administrative purposes and are then destroyed by shredding.

System manager(s) and address:

Director, CPOD (See System Location above).

Notification procedure:

Same as Access Procedures. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

1. General procedures. An individual seeking access to his/her records may initially contact any CPOD office or employee for information about obtaining access to the records. CPOD employees will inform each individual of the appropriate procedures to follow. Each individual seeking access will be required to verify his/her identity to the satisfaction of the CPOD employee providing access. Refusal to provide sufficient proof of identity will result in denial of the request for access until such time as proof of identity can be obtained.

If a determination is made that the material sought contains information that is likely to have an adverse effect on the health of the requester, the requester shall be asked to designate in writing a responsible representative who will be willing to review the record and inform the subject individual of the material's contents at the representative's discretion. Such a representative must provide proof that he/she is duly authorized to review the record by either the individual or the individual's legal guardian. A parent or guardian who requests notification of or access to, a dependent/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify his/her relationship to the dependent/incompetent person as well as his/her own identity.

2. Requests in person. An individual who is the subject of a record and who appears in person seeking access shall provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, passport, or voter registration card). Identification cards with current photographs are preferred but not required. The record will be reviewed in the presence of an appropriate CPOD employee, who will answer questions and ensure that the individual neither removes nor inserts any material into the record without the knowledge of the CPOD employee. If the individual requests a copy of any records reviewed, the CPOD employee will provide them to the individual. The CPOD employee will record the name of the individual granted access, the dates and times of access, and information about the verification of identity on a separate log sheet maintained in the office of the CPOD employee who reviewed the record.

3. Requests by mail. Written requests must be addressed to the System Manager at the address shown as the system location above. All written requests must be signed by the individual seeking access. A comparison will be made of that signature and the signature maintained on file prior to release of the material requested. Copies of the records to which access has been requested will be mailed to the individual. The original version of a record will not be released

except in very unusual situations when only the original will satisfy the purpose of the request.

4. Requests by phone. Because positive identification of the caller cannot be established with sufficient certainty, telephone requests for access to records generally will not be honored.

5. Accounting of Disclosures. An individual who is the subject of records maintained in this record system may also request an accounting of all disclosures that have been made from that individual's records, provided that disclosures have in fact been made.

Contesting record procedures:

Contact the System Manager at the address specified under System Location above and reasonably identify the record. Specify the information being contested. State the corrective action sought, with supporting justification, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

From individuals themselves or their service records; efficiency and progress reports; persons providing references; reports of findings and recommendations made by commissioned corps Board members; supervisors; private and Government physicians; hospitals and clinics rendering treatment; licensure and professional credentialing organizations; investigative reports; law enforcement organizations; court records; death certificates and reports of death; survivors and executors of estates; and records contained in systems 09-37-0002, "PHS Commissioned Corps Personnel Records," HHS/OASH/OM; 09-37-0003, "PHS Commissioned Officer Medical Records," HHS/OASH/OM; and 09-37-0008, "PHS Commissioned Corps Unofficial Personnel Files and Other Station Files," HHS/OASH/OM.

Systems exempted from certain provisions of the act:

None.

09-37-0008

System name:

PHS Commissioned Corps Unofficial Personnel Files and Other Station Files, HHS/OASH/OSG.

Security classification:

None.

System location:

Operating offices (duty stations) of the Department or of other agencies and organizations to which PHS Commissioned Corps officers are assigned.

Categories of individuals covered by the system:

Applicants to the PHS commissioned corps; active-duty, inactive reserve, retired and former officers; and dependents of the above.

Categories of records in the system:

Training records, financial management records, travel and transportation documents, approval of outside activity records, and other documents used solely by personnel employed at a field station. Duplication of personnel records contained in system 09-37-0002, "PHS Commissioned Corps Personnel Records," HHS/OASH/OM, such as long-term training records, billet descriptions, performance evaluations, specialty board examination requests, medical intern and residency evaluations, leave records, identification and privilege card records, and correspondence relating to the individuals covered. Duplication of records contained in systems 09-37-0005, "PHS Commissioned Corps Board Records, HHS/OASH/OM," and 09-37-0006, "PHS Commissioned Corps Grievance, Investigatory, and Disciplinary Files, HHS/OASH/OM," but only to the extent that the records are needed to resolve an official Board action, grievance, or other investigation involving officials and officers assigned to field stations.

Authority for maintenance of the system:

The Public Health Service Act, (42 United States Code (U.S.C.) 202—217, 218a, 224, 228, 233, and other pertinent sections); The Social Security Act (42 U.S.C. 410(m) et. seq.); portions of Title 10, U.S.C., related to the uniformed services; portions of Title 37, U.S.C., related to pay and allowances for members of the uniformed services; portions of Title 38, U.S.C., related to benefits administered by the Veterans Administration; sections of 50 U.S.C. App., related to the selective service obligation and the Soldiers' and Sailors' Civil Relief Act; Executive Order (E.O.)9397, "Numbering System for Federal Accounts Relating to Individual Persons;" E.O. 10450, "Security Requirements for Government Employment;" and E.O. 11140, which delegates the authority to administer the PHS Commissioned Corps from the President to the Secretary, DHHS.

Purpose(s):

Records and information in this system are used by the offices to which PHS commissioned officers are actually assigned for the purposes of making determinations about an individual's training, leave, job assignments, local benefits, performance appraisals, grievances, certain disciplinary actions and related employment matters. Records which are originally collected as part of this system are also used as primary source documents for personnel administration matters which are the responsibility of the Commissioned Personnel Operations Division/OPM/OM/OASH.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information from these records may be used:

1. To disclose information to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with thepurpose for which the records were collected.

3. To disclose pertinent information to appropriate Federal, State, or local agencies responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, regulations, or orders, when PHS becomes aware of evidence of a potential violation of civil or criminal law.

4. To disclose information to an individual who has been asked by PHS to provide a reference, to the extent necessary to clearly identify the individual to whom the reference will pertain, inform the source of the purpose(s) of the reference, and to identify the type of information requested from the source, where necessary to obtain information relevant to an agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit.

5. To disclose to any agency in the executive, legislative, or judicial branch; the District of Columbia government; a State or local government agency; or a nonprofit institution; but only after being authorized to make such disclosure by the Office of the Assistant Secretary for Health, information in connection with the hiring of an employee; the issuance of a security clearance; the conducting of a security or suitability investigation of an individual; the classifying of jobs; the letting of a contract; the issuance of a license, grant or other benefit by the requesting agency; or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. When Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department may make such records available.

7. To disclose information to the Department of Labor, Veterans Administration, Social Security Administration, or other Federal agencies having special employee benefit programs; a national, State, county, or municipal agency; or a publicly recognized charitable organization; when necessary to adjudicate a claim under a benefit program, or to conduct analytical studies of benefits being paid under such programs provided such disclosure is consistent with the purposes for which the information was originally collected.

8. When an individual to whom a record pertains is mentally incompetent or under other legal disability, information in the individual's record may be disclosed to any person who is legally responsible for the care of the individual, to the extent necessary to assure payment of benefits to which the individual is entitled.

9. In response to interrogatories in the prosecution of a divorce action or settlement for purposes stated in 10 U.S.C. 1408.

10. To disclose information to Government training facilities (Federal, State, and local) and to non-Government training facilities (e.g., private vendors of training courses or programs, private schools) for training purposes, such as crediting of work experience in the Commissioned Officed Student Training and Extern Program, or verification of status or income.

11. To disclose information to the Defense Enrollment/Eligibility Reporting System (DEERS), uniformed services medical treatment facilities and to the Department of Defense Office of the Civilian Health and Medical Program of the Uniformed Services, when the information is needed to verify the eligibility of an officer, his/her dependents, or a former spouse for medical benefits.

12. To disclose information to agencies or organizations established in medically underserved areas who apply to the National Health Service Corps for the assignment of commissioned officers to such agencies or organizations.

13. To disclose information on officers assigned to Federal health care facilities to private sector (i.e., other than Federal, State, or local government) agencies, boards, or commissions (e.g., the Joint Commission on Accreditation of Hospitals), to obtain accreditation or other approval rating and only to the extent that the information disclosed is relevant and necessary for that purpose.

14. To disclose to Federal and non-Federal agencies information allowing the consideration and selection of officers for honor awards made as a result of the individual's work as a commissioned officer, and to publicize those awards granted. This may include disclosure to other public and private organizations, including news media, which grant or publicize officer awards or honors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are stored in hard-copy form in locked metal filing cabinets, lektreivers, Conserv-a-files, and safes in interior offices.

Retrievability:

Alphabetically by the name of the officer.

Safeguards:

1. Authorized Users: Access to and use of these records is limited to duty station personnel involved in the personnel/administrative activities for which the records were collected. These records may be copied and released to other departmental employees, and individuals from outside the Department who represent organizations to which commissioned officers are assigned, when they have a need to know information from these records in order to perform their official duties. These individuals are permitted access to records only after they have provided satisfactory proof of their identities. All individuals from organizations outside the Department, to whom disclosure is made pursuant to a routine use, must complete Privacy Act nondisclosure oaths and must submit written requests for access to these records showing the name and employing office of the requester, the date on which the record is requested, and the purpose for reviewing the information in the record. This written request is then placed into the record.

2. Physical safeguards. These records are kept in such a way as to prevent observation by unauthorized individuals while the records are actively in use by an authorized employee. When records are not in use, they are closed and secured in desk drawers with locks, metal filing cabinets with locks, or other security equipment, all of which is kept inside authorized office space which is locked whenever it is not in use. Keys to furniture and equipment are kept only by the individual who is assigned to that furniture or equipment and by the facility security officer.

3. Procedural safeguards. All files are secured when employees are absent from the premises and are further protected by locks on entryways, to which the combinations are periodically changed, and by the building security force. Official records may not be removed from the physical boundaries of the offices in which the personnel who work with the records are assigned unless the records are hand-carried and safeguarded by the individuals authorized to use the records. When copying records for authorized purposes, care is taken to ensure that any imperfect or extra copies are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines. Safeguards for nonautomated records are provided in accordance with chapters 45-13 and PHS.hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Station personnel files are destroyed two years after the individual to whom the records pertain permanently leaves the duty station. Leave records are forwarded to an individual's new duty station, or if the officer is leaving active duty, the leave record card is sent to CPOD and incorporated in record system 09-37-0002, "PHS Commissioned Corps Personnel Records/HHS/OASH/OM. Grievance records are destroyed two years from the date on which the grievance was settled. Other records are retained until there is no further administrative need to retain them, or until the individual leaves the Department, and are then either destroyed, or, if appropriate, are combined with the records described in system 09-37-0002. Identification and privilege cards and records are disposed of when the officer and his/her dependents are no longer entitled to use them.

System manager(s) and address:

The Director, CPOD/OPM/OM, is the overall system manager. Inquiries concerning these records may be addressed to Director, Commissioned Personnel Operations Division, Room 4A-15, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857; or by contacting the duty station to which the individual to whom the records pertain is assigned.

Notification procedure:

Same as Access Procedures. Also, the individual seeking access should reasonably describe the type of record being sought.

Record access procedures:

1. General procedures. An individual seeking access to his/her records may initially contact any CPOD office or employee for information about obtaining access to these records. CPOD employees will inform each individual of the appropriate procedures to follow. Individuals may also seek access to these records by initially contacting the duty station at which they believe the records are located. Individuals at the duty station will ascertain whether the records being sought are maintained at that location. If the records are not located at that duty station, the employee will instruct the individual to address his/her inquiry to CPOD. Regardless of where the records are actually located, the procedures to be followed are explained below.

Each individual seeking access will be required to verify his/her identity to the satisfaction of the employee providing access. Refusal to provide sufficient proof of identity will result in denial of the request for access until such time as proof of identity can be obtained.

2. Requests in person. An individual who is the subject of a record and who appears in person seeking access shall provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, passport, or voter registration card). Identification cards with current photographs are preferred but not required. The record will be reviewed in the presence of an appropriate employee, who will answer questions and ensure that the individual neither removes nor inserts any material into the record without the knowledge of the employee. If the individual requests a copy of any records reviewed, the employee will provide them to the individual. The employee will record the name of the individual granted access, the dates and times of access, and information about the verification of identity on a separate log sheet maintained in the office of the employee who reviewed the record.

3. Requests by mail. Written requests may be addressed to the System Manager at the address shown as the system location above, or directed to the specific duty station involved. All written requests must be signed by the individual seeking access. A comparison will be made of that signature and the signature maintained on file prior to release of the material requested. Copies of the records to which access has been requested will be mailed to the individual. The original version of a record will not be released except in very unusual situations when only the original will satisfy the purpose of the request.

4. Requests by phone. Because positive identification of the caller cannot be established with sufficient certainty, telephone requests for access to records generally will not be honored.

5. Accounting of Disclosures. An individual who is the subject of records maintained in this record system may also request an accounting of all disclosures that have been made from that individual's records, provided that disclosures have in fact been made.

Contesting record procedures:

Contact the appropriate official indicated under System Manager above; reasonably identify the record; and specify the information being contested. State the corrective action sought, with supporting justification, along with information to show how the record is inaccurate, incomplete, untimely, or irrelevant. The duty station will refer requests for record correction to the Director, CPOD, when it appears that a correction of a record in this system will be inconsistent with other commissioned corps records maintained by CPOD in other record systems.

Record source categories:

Information is furnished by the subject individual, persons who provide references, reports of supervisors and other officials, from personnel actions taken by CPOD, and from the records contained in the following systems: 09–37–0002, PHS Commissioned Corps Personnel Records," HHS/OASH/OM; 09–37–0005, "PHS Commissioned Corps Board Proceedings," HHS/OASH/OM; and 09–37–0006, "PHS Commissioned Corps Grievance, Investigatory, and Disciplinary Files," HHS/OASH/OM.

Systems exempted from certain provisions of the act:

None.

09–37–0015

System name:

National Center for Health Services Research and Health Care Technology Assessment (NCHSR), Grants Records System, HHS/OASH/NCHSR.

Security classification:

None.

System location:

National Center for Health Services Research and Health Care Technology Assessment, Parklawn Building, Room 18A–10, 5600 Fishers Lane, Rockville, Maryland 20857.

Federal Records Center, 4205 Suitland Road, Suitland, Maryland 20409. Records may also be located at contractor sites. A list of contractor sites is available from the System Manager, upon request.

Categories of individuals covered by the system:

Research grant principal investigators, research training grant program directors, and research fellowship recipients.

Categories of records in the system:

Research grant, research training grant, and research fellowship files, including grant applications, grant award notices, individual credit reports, summary comments of peer reviewers, salary information, project staffing lists, general correspondence, and Social Security Numbers.

Authority for maintenance of the system:

Public Health Service Act, Section 304, (General Authority Respecting Health Statistics and Health Services Research, Evaluations, and Demonstrations (42 U.S.C. 242b)), Section 305, (National Center for Health Services Research (42 U.S.C. 242c)). Section 308, (General Provisions Respecting Sections 304, 305, 306, and 307 (42 U.S.C. 242m)), Section 487 (National Research Service Awards (42 U.S.C. 288)).

Purpose(s):

The information in this system is used to facilitate day-to-day grants management operations and for purposes of review, analysis, planning and policy formulation by NCHSR staff members and by other components of DHHS which conduct research.

NCHSR refers these records to the DHHS Office of the Assistant Secretary for Management and Budget (ASMB) for the purpose of monitoring payback, and if necessary, debt collection. These records are maintained by ASMB in system of records 09–90–0024, "Accounting Records of Payments to and Collections from Individuals from Operating Division Agency and Regional Financial Management and Disbursing Office, HHS/OS/ASMB."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclose may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department may disclosure information from this system of records to the Department of Justice, to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. NCHSR may disclose information about an individual grant applicant or fellowship applicant to credit reporting agencies to obtain a credit report in order to determine his/her creditworthiness.

4. Disclosure may be made to the National Technical Information Service (NTIS), U.S. Department of Commerce, to contribute to the Smithsonian Science Information Exchange, for dissemination of scientific and fiscal information on funded awards (abstracts and relevant administrative and financial data).

5. Disclosure may be made to qualified experts not within the definition of Department employees for opinions as a part of the application review and award process.

6. Disclosure may be made to a private firm for the purpose of providing services relating to grant review, or for carrying out quality assessment, program evaluation, and/or management reviews. The contractor is required to maintain Privacy Act safeguards with respect to such records.

7. Disclosure may be made to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit of the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

8. Where Federal agencies having power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

9. Disclosure may be made to the cognizant Audit Agency for auditing.

10. In the event that a system of records maintained by the Department indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to as routine use, to the appropriate agency, whether Federal (e.g., the Department of Justice), or State (e.g., the State Attorney General's office) charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto for litigation.

11. Disclosure may be made to the grantee institution in connection with performance or administration under the terms and conditions of the award, or in connection with problems that might arise in performance or administration if an award is made on a grant proposal.

Disclosure to consumer reporting agencies:

Disclosure pursuant to 5 U.S.C. 552a(b)(12): Disclosure may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)): The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal Government; typically, to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Disclosure of records is limited to the individual's name, address, Social Security number, and other information necessary to establish the individual's identity; the amount, status, and history of the claim; and the agency program under which the claim arose. This disclosure will be made only after the procedural requirements of 31 U.S.C. 3711(f) have been followed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files (file folders).

Retrievability:

Retrievable by name and grant number.

Safeguards:

1. Authorized Users: Only staff members of the Grants Management Branch (GMB) have regular access. Limited access to official grant files is granted to other DHHS staff with need-to-know about NCHSRA research projects, only with authorization of the System Manager.

2. Physical Safeguards: Locked file cabinets, locked offices, general building security.

3. Procedural Safeguards: DHHS staff may inspect NCHSR grant records on a need-to-know basis only, with the approval of the System Manager. Visitors are not left unattended in the office containing the files. Offices are locked when not in use. Grant records are either transmitted in sealed envelopes or are hand-carried.

Retention and disposal:

Approved grant applications and their respective files are retained at NCHSR for two years beyond the termination date of the grant. Rejected grant applications are held for one year. The grant files are then retired to a Federal Records Center and subsequently disposed of in accordance with the PHS/OASH records control schedule. The records control schedule may be obtained by writing to the System Manager at the following address.

System manager(s) and address:

Chief, Grants Management Branch; National Center for Health Services Research and Health Care Technology Assessment, Parklawn, Building, Room 18A-10, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedure:

To determine if a record exists, write to the System Manager at the above address. Specify name and/or grant number.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Positive identification is required. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under Systems Manager above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Grant applicants, reports and correspondence from the research community, and statements from grant review committees, consumer reporting agencies.

Systems exempted from certain provisions of the act:

None.

09-37-0017

System name:

Proceedings of the Board for Correction of Public Health Service Commissioned Corps Records, HHS/OASH/OM.

Security classification:

None.

System location:

Board for Correction of PHS Commissioned Corps Records, HHS/OASH/OM, Room 17-65, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857; and Washington National Records Center, 4205 Suitland Road, Suitland, Maryland 20409. Records also may be located at the contractor site. The names and addresses of contractors used by the Board for Correction can be obtained from the System Manager.

Categories of individuals covered by the system:

Commissioned Officers of the PHS Commissioned Corps, and former officers.

Categories of records in the system:

Commissioned Officer case files consisting of applications requesting corrections of alleged errors or injustices, administrative reports, case summaries, findings, conclusions, recommendations, Board decisions, and related documents, including copies of records from other systems of records as specified under Record Source Categories below.

Authority for maintenance of the system:

10 U.S.C. 1552 "Correction of Military Records"; Public Health Service Act, 42 U.S.C. 213a(a)(12); Executive Order 9397, "Numbering System for Federal Accounts Relating to Individual Persons."

Purpose(s):

This system of records is used:

1. To process requests from present or former Commissioned Officers for the correction of alleged errors or injustices resulting from the administration of laws and regulations;

2. To review and adjudicate these requests;

3. To disclose the decisions of the Board for Correction to the Commissioned Personnel Operations Division (CPOD) for appropriate action;

4. To document all actions and activities of the Board of Correction.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. These records may be used to disclose information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. These records may be used to disclose pertinent information to appropriate Federal, State, or local agencies; international agencies, or foreign governments responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, regulations, or orders, when PHS becomes aware of evidence of a potential violation of civil or criminal law.

4. Disclosure of information may be made to private contractors who record and transcribe tapes of Board for Correction meetings. Contractors are required to comply with Privacy Act safeguards and the HHS Privacy Act Regulations with respect to such records. These safeguards are explained in the section entitled "Safeguards."

5. Disclosure of information may be made to properly identified attorneys of subject individuals or their personally designated representatives, to court-appointed representatives of mentally incompetent or otherwise legally handicapped subject individuals and to guardians to the extent necessary to assure attainment of rights or payment of benefits to which such individuals would be entitled.

6. Disclosure of information may be made to Federal, State or local government agencies (such as those concerned with disability compensation, health and human services, hospitals, and legal affairs) or to public interest organizations (such as the American Red Cross, the American Civil Liberties Union, Disabled American Veterans, and the Legal Aid Society) when the subject individual's request for correction will affect the individual's entitlement to rights or benefits, and when such agencies may have information which will assist the Board for Correction in clarifying that entitlement.

7. Disclosure of information may be made to authorized experts or consultants in a Federal agency or in the private sector if the Board for Correction has determined that it needs such opinions to arrive at an equitable decision concerning the subject individual's request. Consultants or experts are required to comply with Privacy Act safeguards and the HHS Privacy Act Regulations with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, word processing disks and microfiche.

Retrievability:

Alphabetically by name, by service number, and by Social Security Number (SSN).

Safeguards:

1. Authorized Users: The System Manager and/or the Executive Secretary of the Board for Correction, will control access to the data. Additional authorized personnel having access to the data are: (1) The Director, Office of Management; (2) Designated clerical support staff in the offices of the System Manager and the Executive Secretary; (3) Board for Correction members on a need-to-know basis; and (4) Experts, consultants or private contractors when approved by the System Manager.

2. Physical Safeguards: Hard-copy records, word processing disks and microfiche are stored in locked metal file cabinet located in an inner office occupied continuously during working hours and locked at all other times. The doors to the inner and outer offices are secured with combination locks. The building has a 24-hour security guard, and entry into the building is controlled before and after normal working hours. A contractor who is given records must maintain the records in a secured area, allow only those individuals immediately involved in the processing of the records to have access

to them, prevent any unauthorized persons from gaining access to the records, caution employees about the confidentiality of the records, and return the records to the System Manager immediately upon completion of the work specified in the contract.

3. Administrative Safeguards: Authorized personnel have been trained to comply with provisions of the Privacy Act and the HHS Privacy Act Regulations. Records are transmitted in sealed envelopes and are identified as confidential material. When copying records for authorized purposes, care is taken to ensure that no imperfect or extra pages are left in the reproduction room. These pages are disposed of by shredding. Contractor compliance is assured through inclusion of privacy requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records are instructed to make no disclosure of the records except as authorized by the System Manager.

Retention and disposal:

Records are transferred to the Washington National Records Center (WNRC) one year after CPOD has implemented the Board for Correction's (favorable) decision, or three years after the Board for Correction has denied the applicant's request, whichever applies to the final disposition of a case.

Records are destroyed by the WNRC after 20 years by pulping.

System manager(s) and address:

Chairperson, Board for Correction of PHS Commissioned Corps Records, Room 17-51, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedure:

To determine if a record exists, the subject individual should contact the System Manager at the above address. A subject individual who appears in person is required to provide his/her name and at least one piece of tangible identification (e.g., PHS Commissioned Corps Identification Card, driver's license, Social Security card, or discharge or separation papers). An individual making a written inquiry is required to sign the request mailed to the System Manager. The signature given is compared with the signature on file prior to release of the material requested.

If the subject individual is represented by an attorney, other than the one shown on the application to the Board for Correction, it would be necessary to have in the case file a dated letter signed by the subject individual giving the name of the attorney and stating that he/she has been authorized access to the case file. If the subject individual is represented by another person, it would also be necessary to have in the case file a dated letter signed by the individual giving the name of the representative and stating that he/she has been authorized access to the case file. In both instances, the persons representing the subject individual would be required to present documentation identifying him/herself as being the person mentioned in the application or in a letter on file with the Board for Correction.

If the subject individual is judged to be mentally incompetent to handle his/her personal affairs, a court order should have been issued to that effect. The person identifying him/herself as representing the subject individual in this circumstance would be required to present a copy of the court order and to personally identify him/herself as being the person mentioned in the order.

If the subject individual is physically incapacitated, a medical statement certifying to the physical disability would be required, signed and dated by a licensed physician. The person presenting this statement would be required to personally identify him/herself and provide documentation of his/her relationship to the subject individual (e.g., marriage license, birth certificate, etc.).

If the subject individual is deceased, proof of death would be required, signed and dates by the appropriate certifying agency of Government. The person presenting this document would be required to personally identify him/herself and provide documentation of his/her relationship to the decreased (e.g., marriage license, birth certificate, etc.).

If a determination is made that the material sought contains medical information that is likely to have an adverse effect on either the subject individual or the determination of his/her request, the requester (whether the subject individual, his/her personal representative, an attorney other than the one shown on the application to the Board for Correction, a court appointed representative, or a guardian) shall be asked to designate in writing a physician or other health professional who is willing to review the material and inform the requester of its contents, at the discretion of the health professional. The person designated to evaluate the medical information must provide proof that he/she is duly authorized by the requester to review the material.

Record access procedures.

Same as Notification Procedures. The requester is required to specify reasonably the contents of the records being sought. Access to records granted exemptions from the Privacy Act access requirements is made at the discretion of the System Manager subject to the appropriate approvals. Denial of access is ultimately appealable to the Assistant Secretary for Health, Room 716G, Hubert H. Humphrey Building, 200 Independence Avenue SW, Washington, D.C. 20201.

The requester may also ask for an accounting of disclosures that have been made of his/her records, if any.

Contesting record procedures:

If access has been granted, the requester shall contact the System Manager above, reasonably identify the records, specify the information being contested, and state the corrective action sought, with supporting documentation to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Records are obtained from applicants: Reports of findings and recommendations made by Board for Correction members; Board for Correction decisions; supervisors; private and Government physicians; hospitals and clinics rendering treatment; investigative reports; death certificates and reports of death; survivors and executors of estates; private and Government agency reports of service delivery, compensation, disability and legal opinions; and records contains in systems 09-37-0002, "PHS Commissioned Corps Personnel Records, HHS/OASH/OM"; 09-37-0003, "PHS Commissioned Officer Medical Records, HHS/OASH/OM"; 09-37-0005, "PHS Commissioned Corps Board Proceedings, HHS/OASH/OM"; 09-37-0006, "PHS Commissioned Corps Grievance; Non-Board and Pre-Board Involuntary Retirement/Separation, and Disciplinary Files, HHS/OASH/OM"; 09-37-0008, "PHS Commissioned Corps Unofficial Personnel Files and other Station Files, HHS/OASH/OM."

Systems exempted from certain provisions of the act:

None.

09-37-0019

System name:

National Medical Expenditure Survey, HHS/OASH/NCHSR.

Security classification:

None.

System location:

National Center for Health Services Research and Health Care Technology Assessment, Room 18A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

At selected contractor locations. A current list of contractor sites is available by writing the System Manager at the address below.

Categories of individuals covered by the system:

(1) Individuals and members of households selected by probability sampling techniques to be representative of the civilian noninstitutionalized population of the United States; health care providers, staff responding on behalf of health insurers and the employers of members of sampled households; (2) residents and next-of-kin of such residents of nursing and personal care homes, psychiatric hospitals, and facilities for the mentally retarded selected by probability sampling techniques to be representative of residents of such homes, hospitals and facilities and the staff responding on behalf of such facilities.

Categories of records in the system:

Records containing information on: (1) The incidence of illness and accidental injuries, prevalence of diseases and impairments, the extent of disability, the use, expenditures and sources of payment for health care services, and other characteristics of individuals obtained in household interviews (demographic and socioeconomic characteristics such as age, marital status, education, occupation and family income) and the names, telephone numbers and addresses of the responding staffs of health care providers, health insurers, and employers; (2) the utilization of long-term care, nursing home care, care in personal care homes, care in psychiatric hospitals and care in facilities for the mentally retarded through data on residents (demographic and social characteristics, health status and charges and sources of payment for care); through data facility characteristics (general characteristics, certification, services offered and corresponding expenses), and through data on next-of-kin or representatives of residents (demographic and social characteristics, health status, and expenditures for health care of residents); and (3) Medicare claims records of members of sampled households and of sampled residents of nursing and personal care homes, psychiatric hospitals, and facilities for the mentally retarded.

Authority for maintenance of the system:

Section 304, of the Public Health Service Act as amended (42 U.S.C. Section 242b) Research, Evaluations, and Demonstrations in Health Statistics, Health Services and Health Care Technology Assessment.

Purpose(s):

The data are used in aggregated form for statistical and health services research purposes respecting analysis and evaluation of health care costs, and the accessibility, acceptability, planning, organization, distribution, technology, utilization, quality, and financing of health services and systems.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The Department has contracted with private firms for the purpose of collecting, analyzing, aggregating, or otherwise refining records in this system. Relevant records are collected by and/or disclosed to such contractors. The contractors are required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and magnetic tapes.

Retrievability:

Information is retrieved by name and/or participant identification number.

Safeguards:

NCHSR and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users: Access is limited to persons authorized and needing to use the records, including project directors, contract officers, interviewers, analysts, statisticians, statistical clerks and key punch operators on the staffs of NCHSR and the contractors.

2. Physical Safeguards: The hard-copy records are stored in locked safes, locked files, and locked offices when not in use. Computer terminals used to process identifiable data are located in secured areas and are accessible only to authorized users. Automated back-up files are stored off-site.

3. Procedural safeguards: All employees of NCHSR and contractor personnel with access to NCHSR records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information. Periodic training sessions are conducted to reinforce the statutorily-based confidentiality restrictions.

Names and other characteristics from the original records are not contained on the records encrypted for analysis. Encrypted data are indexed by code numbers. Tables and computer files linking these code numbers with actual identifiers are maintained separately. Code numbers and identifiers are linked only if there is a specific need as authorized by the System Manager. Data stored in computers both at NCHSR and the contractor sites are accessed through the use of passwords/keywords assigned by the System Manager only to authorized personnel of NCHSR or its contractors. These passwords/keywords are changed frequently. An automated audit trail will be maintained.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements and the restrictions of 42 U.S.C. 242m(d) are specifically included in contracts for survey, research and data processing activities related to this system. The DHHS project directors, contract officers and project officers oversee compliance with these requirements.

4. These safeguards are in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS hf. 45-13; Part 6, "ADP Systems Security," of the HHS ADP Systems Manual, and the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Hard-copy records will be burned or shredded following verification that such data were correctly keyed into a machine readable format. Names and other identifying particulars will be maintained for 15 years on computer tapes, when they will be destroyed.

System manager(s) and address:

Senior Research Manager, National Health Care Expenditures Study, Division of Intramural Research, National Center for Health Services Research and Health Care Technology Assessment, Room 18A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedure:

To determine if a record exists, write to the System Manager, giving your full name and address.

Record access procedures:

The system is exempt from the access requirements of the Privacy Act; however, a subject individual may be granted access to his/her records at the System Manager's discretion. Positive identification is required from anyone seeking access.

Contesting record procedures:

If access has been granted, contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Respondents in the survey samples including: members of households, physicians, hospitals, health insurers, employers, staff of nursing and personal care homes, and staff of facilities for the mentally retarded and of psychiatric hospitals; the next-of-kin of residents of such homes, facilities, and hospitals; and Systems 09-70-0005, Medicare Bill File (Statistics), HHS/HCFA/BDMS.

Systems exempted from certain provisions of the act:

With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4) and (e)(4) (G) and (H), in accordance with the provisions of subsection 552a(k)(4) of the Privacy Act of 1974. This system has been exempted because it contains only records which are required by statute to be maintained and used solely as statistical records.

09-37-0020

System name:

Office of Minority Health Grants Records System, HHS/OASH/OMH.

Security classification:

None.

System location:

Office of Minority Health, Parklawn Building, Room 18A-10, 5600 Fishers Lane, Rockville, Maryland 20857.

A current list of contractor sites is available by writing to the address below under SYSTEM MANAGER.

Inactive records are located at the Federal Records Center, 4205 Suitland Road, Suitland, Maryland 20409.

Categories of individuals covered by the system:

Project Grant Program Directors.

Categories of records in the system:

Grant files, including grant applications, grant award notices, summary comments of peer reviewers, salary information, staffing lists, general correspondence, and Social Security Numbers (optional).

Authority for maintenance of the system:

Public Health Service Act Section 301 (42 U.S.C. 242). This section authorizes support of health-related grants.

Purpose(s):

The information in this system is used to facilitate day-to-day grants management operations and for purposes of review, analysis, planning and policy formulation by OMH staff members and by other components of DHHS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) The Department may disclose information from this system of records to the Department of Justice, to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(3) Disclosure may be made to a private firm for the purposes of providing services related to grant review, or for carrying out quality assessment, program evaluation, and/or management reviews. Any such contractors will be required to maintain Privacy Act safeguards with respect to such records.

(4) Disclosure may be made to qualified experts not within the definition of Department employees for opinions as a part of the application review and award process.

(5) Disclosure may be made to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit of the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(6) Where Federal agencies having power to subpoena other Federal agencies' records, such as the Internal Revenue Service or Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Disclosure may be made to the cognizant Audit Agency for auditing.

(8) In the event that a system of records maintained by the Department indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal (e.g., the Department of Justice), or State (e.g., the State Attorney General's office) charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto for litigation.

(9) Disclosure may be made to the grantee institution in connection with performance or administration under the terms and conditions of the award.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files (files folders).

Retrievability:

Retrievable by program director name and grant number.

Safeguards:

1. Authorized Users: Only staff members of the Office of Minority Health (OMH) have regular access. Staff members of other DHHS components have access on a need-to-know basis only.

2. Physical Safeguards: Locked file cabinets, locked offices, general building security.

3. Procedural Safeguards: OMH staff may inspect and review records, with the approval of Grant Management Branch staff. Other DHHS staff will be granted access by the System manager only on a need-to-know basis. Visitors will not be left unattended in the office containing the files. Grant records are either transmitted in sealed envelopes or are hand-carried.

Retention and disposal:

Approved grant applications and their respective files are retained by OMH for one year beyond the termination date of the project. Disapproved grant applications are held for six months. The grant files are then retired to a Federal Records Center and subsequently disposed of in accordance with the PHS/OASH records control schedule. The records control schedule may be obtained by writing to the System Manager at the following address.

System manager(s) and address:

Mr. J. Henry Montes, Associate Director for External Programs, Office of Minority Health, PHS, Room 118F, HHH Building, 200 Independence Ave. SW, Washington, DC 20201.

Notification procedure:

To determine if a record exists, write to the System Manager at the above address. Specify program director's name and/or grant number.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Positive identification is required. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under System Manager above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Grant applications, reports and correspondence from organizations interested in improving minority health, summary statements from grant review committees and incoming correspondence from project staff.

Systems exempted from certain provisions of the act:

None.

09-37-0021

System name:

AIDS Cost and Service Utilization Survey (ACSUS), HHS/OASH/NCHSR.

Security classification:

None.

System location:

At selected contractor locations. A current list of contractor sites is available by writing the System Manager at the address below.

Categories of individuals covered by the system:

Individuals with HIV-related illnesses and Acquired Immunity Deficiency Syndrome (AIDS) and providers of services to these individuals.

Categories of records in the system:

(1) Names, respondent identification numbers, demographic and socioeconomic characteristics such as age, marital status, education, occupation, and income; (2) quality of life and functional status data; (3) medical data on presenting diagnosis; (4) current medical insurance data; (5) names of providers from whom respondents have received services; and (6) the costs of these services, and the costs of drugs or other therapies.

Authority for maintenance of the system:

Section 304 of the Public Health Service Act as amended (42 U.S.C. Section 242b) Research, Evaluations, and Demonstrations in Health Statistics, Health Services and Health Care Technology Assessment.

Purpose(s):

The data are to be used in aggregated form for health services research purposes, i.e., analysis and evaluation of the cost and financing of AIDS and other HIV-related illnesses and service utilization by individuals with these illnesses.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The Department has contracted with a organization for the purpose of collecting, aggregating, or otherwise refining records in this system. The contractor maintains all individually identifiable records and is required to maintain Privacy Act safeguards with respect to such records.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Justice Department to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and magnetic tapes or computer disks.

Retrievability: Information is retrieved by name and/or patient identification number.

Safeguards: NCHSR and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users—Access is limited to persons authorized and needing to use the records, including the project director, interview-

ers, analysts, statisticians, statistical clerks, and data entry clerks on the project staff of the contractor.

2. Physical Safeguards.—The hard-copy records are stored in locked safes, locked files, and locked offices when not in use. Computer terminals used to process identifiable data are located in secured areas and are accessible only to authorized users. Automated backup files are maintained.

3. Procedural Safeguards.—All contractor personnel will access to NCHSR records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information.

An identifying number is given by the contractor to each individual from whom information is obtained. The file is maintained by the contractor and the data accessed only to update information on each individual over the course of the data collection period. At the end of the data collection period when the files have been completely updated. names and any other identifying information will be removed from the files with each individual file being identified only by a numeric code. Only information in unidentifiable form will be delivered to the Government.

The contract contains provisions that preclude the release or use of the information in the records system. Privacy Act requirements and the restrictions of 42 U.S.C. 242m(d) are included in this contract. The project director, contracting officer, and the project officer oversee compliance with these requirements.

Retention and disposal:

After NCHSR has received and accepted the final data tape and all other contract deliverables the contractor will destroy all information linking the numeric codes with the names of the individuals who supplied the data. Hard-copy records will be burned or shredded following verification that such data were correctly keyed into a machine readable format.

System manager(s) and address:

Chief, Cost and Financing Cluster, Division of Extramural Research, National Center for Health Services Research and Health Care Technology Assessment, Mail Stop 18A19, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedure:

See Record Access Procedure.

Record access procedures:

To determine if a record exists, write to the contractor, giving your full name and address. To receive a copy of any record the written request must have a notarized signature. Photo identification will be required for system access in person. Willful misrepresentation to obtain access to the system is subject to a

5,000 fine.

In the case of a parent or guardian seeking access to a minor's or incompetent person's record, this individual must verify the relationship to the minor/incompetent person as well as provide appropriate identification.

Contesting record procedures:

Contact the System Manager and reasonable identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, or untimely.

Record source categories:

Respondents in the survey include: Persons with AIDS and HIV-related illnesses, next of kin of these persons, and the providers of services to these persons including hospitals, physicians, pharmacists, staff of nursing and personal care homes.

Systems exempted from certain provisions of the act:

None.

Alcohol, Drug Abuse, and Mental Health Administration

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09-30-0004

System name:

Intramural Research Program Records of Research Performed on In- and Out-Patients with Various Types of Mental Illness, HHS/ADAMHA/NIMH.

Security classification:

None.

System location:

National Institutes of Health
9000 Rockville Pike
Bethesda, Maryland 20205 AND
Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system:

In- and out-patients with emotional, psychiatric, and neurophysiological disability, normal subjects, and research subjects.

Categories of records in the system:

Research data of wide variety including biochemical measures, psychophysiological and psychological tests, questionnaires, clinical and behavioral observations and interviews, physical examinations, and correspondence.

Authority for maintenance of the system:

Public Health Service Act, Sections 301, 302, and 303 (42 U.S.C. 241, 242, 242a).

Purpose(s):

These records are used for diagnosis and treatment of patients with neuropsychiatric illnesses; behavioral research relating to the causes, diagnoses, and treatment of neuropsychiatric disorders; and basic research on behavioral processes and personality development.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to--(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except--(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law;

(d) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. In the event of litigation where the defendant is (a) the Department, and component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In original state; files, indexes, magnetic and other tapes.

Retrievability:

Retrieved by name (coded).

Safeguards:

Safeguards:

1. Authorized Users: Only authorized medical and research staff have access to these records.

2. Physical Safeguards: Magnetic tapes, files, indexes, and other tapes that contain individually identifiable data are stored in a locked cabinet in a limited access area.

3. Procedural Safeguards: Magnetic data are further protected by special account numbers and passwords.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, 'ADP System Security' in the HHS ADP Systems Security Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The records control schedule and disposal standard for these records may be obtained by writing the System Manager at the address below.

System manager(s) and address:

Director, Intramural Research Program
National Institute of Mental Health
Building 10, Room 4N-224

9000 Rockville Pike
Bethesda, Maryland 20205

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. Provide notarized signature as proof of identity. The request should include as much of the following information as possible: (a) Full name; (b) nature of illness (if any); (c) ward or laboratory; (d) title of study; (e) name of researcher conducting study. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of child's/incompetent person's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designate will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information gathered from individuals under study, either patient or normal subject, contract surveys, hospital records, medical and nursing staff notes.

Systems exempted from certain provisions of the act:

None.

09-30-0020

System name:

Patient Records on PHS Beneficiaries (1935-1974) and Civilly Committed Drug Abusers (1967-1978) Treated at the PHS Hospitals in Fort Worth, Texas, or Lexington, Kentucky, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

Addiction Research Center
National Institute on Drug Abuse
Francis Scott Key Medical Center
PO Box 5180
Baltimore, Maryland 21224

Categories of individuals covered by the system:

Civilly committed narcotic addicts (1967-1976) and adult PHS beneficiaries (1935-1974) treated at either the PHS hospital in Fort Worth, Texas, or Lexington, Kentucky.

Categories of records in the system:

Administrative records, such as treatment admission and release dates, name and address, and other demographic data; medical records, such as, but not limited to, medical history information, drug abuse/use data as well as treatment information, any laboratory tests, etc.

Authority for maintenance of the system:

Narcotic Addict Rehabilitation Act of 1966, and Narcotic Addict Rehabilitation Amendments of 1971, Titles I and III (42 U.S.C. 3411 et seq. and 28 U.S.C. 2901 et seq.), and Public Health Service Act, Sections 321-326, 341(a) and (c) (42 U.S.C. 248-253, 257(a) and (c)).

Purpose(s):

The records were collected originally to monitor the individual's progress while being treated at either of two PHS hospitals and to ensure continuity of that care. These systems are now inactive. The records are used to respond to requests from subject individuals (or his/her designated representative) to (1) establish eligibility for certain Federal benefits for the individual or his/her dependent(s), and (2) provide information to subsequent health care providers at the request of the individual regarding medical treatment received to ensure continuity of care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records at National Institute on Drug Abuse (NIDA) are on microfilm and contain only part of the admission and discharge information. The microfilm is stored in a file cabinet in a locked room. Records sent to Federal Records Center are stored in GSA-approved storage containers.

Retrievability:

The administrative records and microfilm are filed by patient name.

The medical records are filed either by patient name or by patient's hospital number with a cross-reference list at NIDA matching number to name.

Safeguards:

1. Authorized Users: Only the System Manager and designated staff.

2. Physical Safeguards: The microfilm is in a room which has limited access. The room is located in a building with a 24-hour security patrol/television surveillance system. Sign in and out procedures are used at all times.

3. Procedural Safeguards: Only the System Manager and his/her staff have access to the microfilm information and have been trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

All administrative and medical records have been retired to a Federal Records Center. The records collected under the Narcotic Addict Rehabilitation Act of 1966 will be destroyed when they are 25 years old, which will be in 2001 because the last patient was released from treatment in 1976. The PHS beneficiaries' records will be destroyed at the same time. The records will be shredded in 2003 upon written request from the System Manager.

System manager(s) and address:

Medical Director,
Addiction Research Center
National Institute on Drug Abuse
Francis Scott Key Medical Center
PO Box 5180
Baltimore, Maryland 21224

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. An individual may learn if a record exists about himself or herself upon written request with a notarized signature. The request should include, if known: patient hospital record number, full name or any alias used, patient's address during treatment, birth date, veteran status (if applicable) and approximate dates in treatment.

An individual who requests notification of a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the individual of its content at the representative's discretion.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above, and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Patients; patients' drug treatment program counselors; court records; hospital personnel.

Systems exempted from certain provisions of the act:

None.

09-30-0022

System name:

National Institute on Drug Abuse, Addiction Research Center, Federal Prisoner and Non-Prisoner Research Patient Files, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

NIDA Addiction Research Center
Francis Scott Key Medical Center - Building C
PO Box 5180
Baltimore, Maryland 21224

Categories of individuals covered by the system:

Volunteers, adult males (from 1968 to present), adult females (beginning in 1985), adolescents (ages 13-18, beginning in 1983) and children (neonate to 12 beginning in 1989).

Categories of records in the system:

The categories of records involved are administrative, medical and research records.

Authority for maintenance of the system:

Public Health Service Act, Section 301(a) (42 U.S.C. 241(a)); Sections 341(a) and 344(d) (42 U.S.C. 257(a) and 260(d)); Sections 503 and 515 (42 U.S.C 290aa-2 and 290cc). These sections authorize the conduct of research in all areas of drug abuse.

Purpose(s):

(1) To collect and maintain a data base for research activitiesaat ARC, and (2) to enable Federal drug abuse researchers to evaluate and monitor the subjects' health during participation in a research project. The areas of research include, but are not limited to, biomedical, clinical, behavioral, pharmacological, psychiatric, psychosocial, epidemiological, etiological, statistical, treatment and prevention of narcotic addiction and drug abuse.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) uses a contractor to recruit volunteers and to screen these individuals for their acceptability to participate in specific research projects, and limits the contractor's access to the records to these procedures. ADAMHA also uses a contractor to perform routine medical laboratory tests on blood and urine samples. These routine tests verify that the subject is in good health. Both contractors disclose records from this system only to ADAMHA and are required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders or on computer disks or magnetic tapes.

Retrievability:

Administrative and medical records are indexed and retrieved by the subject's name. Research records are indexed and retrieved by the subject's name and an identification code.

Safeguards:

1. Authorized Users: Only authorized ARC staff (Principal Investigator and his/her research team) are allowed access to these files. The contractor staff has access to the files during the recruitment/screening process.

2. Physical Safeguards: Files and file rooms are locked after business hours. Building has electronic controlled entry at all times with a 24-hour guard/television surveillance system. The computer terminals are in a further secured area.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from unauthorized personnel. Access codes to the research records are available only to the Principal Investigator and his/her research team. Access to the records is strictly limited to those staff members trained in accordance with the Privacy Act. The contractor staff members are required to secure the information in accordance with the Privacy Act. ARC Project Officer and contracting officials will monitor contractor compliance.

Retention and disposal:

Records will be disposed of in accordance with the ADAMHA Records Control Schedule, i.e., when the records are 10 years old or no longer required for administrative or research purposes. The records on individuals who do not qualify for a specific research project are kept for one year by the contractor who then destroys them by shredding.

System manager(s) and address:

Medical Director,
NIDA, Addiction Research Center
Francis Scott Key Medical Center - Building C
PO Box 5150
Baltimore, Maryland 21224

Notification procedure:

To determine if a record exists, write to the System Manager at the above address. Provide a notarized signature as proof of identity. This can be waived if the request is made through official federal, state, or local channels. The request should include the patient's register number and/or the number of years of incarceration (for prisoner subjects), full name at time of participation in the research project, date(s) of research participation, and title of research project or name of drug being studied. An individual who requests notification of a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or legal guardian who requests notification of a child's or adolescent's record shall designate a family physician or other health professional (other than a family member) or a member of the Addiction Research Center staff to whom the record, if any, will be sent. The parent or legal guardian must verify in writing the relationship to the adolescent as well as his/her own identity.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures that have been made of his/her records, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought and reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

The individual; observations and medical recordings (such as blood pressure, dosage of compound administered, etc.) made by the Principal Investigator and his/her research team; system of records number 09-30-0020; drug treatment programs; Bureau of Prisons; case workers; psychiatrists; research laboratories; and pharmacies and hospitals. Many of these records are confidential and privileged communication is guaranteed under Section 344(d) of the PHS Act.

Systems exempted from certain provisions of the act:

None.

09-30-0023

System name:

Records of Contracts Awarded to Individuals, HHS/ADAMHA/OA.

Security classification:

None.

System location:

National Institute on Drug Abuse
Contracts Management Branch
Room 10-49, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute on Alcohol Abuse and Alcoholism
Contracts Management Branch
Room 14C-06, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute of Mental Health
Contracts Management Branch, ORM
Room 15-81, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Washington National Records Center
4205 Suitland Road
Washington, D.C. 20409

Categories of individuals covered by the system:

An individual who receives a contract as well as individuals who apply or compete for an award but do not receive the award and their consultants.

Categories of records in the system:

Curriculum vitae, salary information, evaluations of proposals by contract review committees.

Authority for maintenance of the system:

Public Health Service Act, Sections 301, 503, 502 and 504) (42 U.S.C. 241, 290aa-2, 290aa-1, and 290-aa3). NIDA: Drug Abuse Prevention, Treatment and Rehabilitation Act, Section 410 (21 U.S.C. 1177). NIAAA: Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, Section 311 (42 U.S.C. 4577). NIMH: Community Mental Health Centers Act.

Purpose(s):

To document the history of each contract procurement action and award made within ADAMHA to an individual. The records are also used by contract review committee members when evaluating a proposal submitted by an individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. A record from this system may be disclosed to the following entities in order to help collect a debt owed the United States:

(a) To another Federal agency so that agency can effect a salary offset;
(b) To another Federal agency so that agency can effect an administrative offset under common law or under 31 U.S.C. 3716 (withholding from money payable to, or held on behalf of, the individual);
(c) To the Treasury Department to request his/her mailing address under I.R.C. 6103(m)(2) in order to locate him/her or in order to have a credit report prepared;
(d) To agents of the Department and to other third parties to help locate him/her in order to help collect or compromise a debt;
(e) To debt collection agents under 31 U.S.C. 3718 or under common law to help collect a debt; and
(f) To the Justice Department for litigation or further administrative action.

Disclosure under part (d) of this routine use is limited to the individual's name, address, Social Security number, and other information necessary to identify him/her. Disclosure under parts (a)-(c) and (e) is limited to those items; the amount, status, and history of the claim; and the agency or program under which the claim arose. An address obtained from IRS may be disclosed to a credit reporting agency under part (d) only for purposes of preparing a commercial credit report on the individual. Part (a) applies to claims or debts arising or payable under the Social Security Act if and only if the employee consents in writing to the offset.

4. ADAMHA may disclose information from its records in this system to consumer reporting agencies in order to obtain credit reports to verify credit worthiness of contract applicants. Permissible disclosures include name, address, Social Security number or other information necessary to identify the individual; the funding being sought; and the program for which the information is being obtained.

5. When a debt becomes partly or wholly uncollectable, either because the time period for collection under the statute of limitations has expired or because the Government agrees with the individual to forgive or compromise the debt, a record from this system of records may be disclosed to the Internal Revenue Service to report the written-off amount as taxable income to the individual.

6. A record from this system may be disclosed to another Federal agency that has asked the Department to effect an administrative offset under common law or under 31 U.S.C. 3716 to help collect a debt owed the United States.

Disclosure under this routine use is limited to: Name, address, Social Security number, and other information necessary to identify the individual, information about the money payable to or held for the individual, and other information concerning the administrative offset.

7. ADAMHA may disclose from this system of records to the Department of Treasury, Internal Revenue Service (IRS): (1) A delinquent debtor's name, address, Social Security number, and other information necessary to identify the debtor; (2) the amount of the debt, and (3) the program under which the debt arose, so that IRS can offset against the debt any income tax refunds which may be due to the debtor.

Disclosures to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681 (F)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of such disclosures is to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Information disclosed will be limited to name, Social Security number, address, other information necessary to establish the identity of the individual, and amount, status, and history of the claim, and the agency or program under which the claim arose. Such disclosures will be made only after the procedural requirements of 31 U.S.C. 3711(f) have been met.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Documents filed in folders in enclosed and/or locked file cabinets.

Retrievability:

By contract number and cross indexed by individual's name.

Safeguards:

Safeguards:

1. Authorized Users: Federal contract and support personnel. Federal contract review staff and outside consultants acting as peer reviewers of the project.

2. Physical Safeguards: All folders are in file cabinets in a room that is locked after business hours in a building with controlled entry (picture identification). Files are withdrawn from cabinet for Federal staff who have a need to know by a sign in and out procedure.

3. Procedural Safeguards: Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Records are retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The records control schedule and disposal standard for these records may be obtained by writing the System Manager at the address below.

System manager(s) and address:

National Institute on Drug Abuse
Chief, Contracts Management Branch, OPS
Room 10-49, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute on Alcohol Abuse and Alcoholism
Chief, Contracts Management Branch
Room 14C-06, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute of Mental Health
Chief, Contracts Management Branch
Room 15-81, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Procurement Officer
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure:

To determine if a record exists, write to the appropriate System Manager at the address above. An individual may learn if a record exists about himself/herself upon written request with notarized signature. The request should include, if known, contractor's name, contract number, and approximate date contract was awarded. An individual may also request accounting of disclosures that have been made of his/her record, if any.

Record access procedures:

Same as notification procedures. Requesters should reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedures above and reasonably identify the record, specify the information being contested, the corrective action sought, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Contract proposals and supporting contract documents, contract review committees, site visitors.

Systems exempted from certain provisions of the act:

None.

09-30-0027

System name:

Grants and Cooperative Agreements: Research, Research Training, Research Scientist Development, Education, Demonstration, Prevention, Fellowships, Clinical Training, Community Programs, HHS/ADAMHA/OA.

Security classification:

None.

System location:

National Institute on Drug Abuse
Grants Management Branch
Room 10-25, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute on Alcohol Abuse and Alcoholism
Grants Management Branch
Room 16-36, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
National Institute of Mental Health
Grants Management Branch, ORM
Room 7C-23, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Washington National Records Center
4205 Suitland Road
Washington, D.C. 20409

Categories of individuals covered by the system:

Principal investigators, program directors, trainees, fellows, research scientist development awardees, and other employees of applicant or grantee institutions.

Categories of records in the system:

Grant and cooperative agreement applications and review history, including curriculum vitae, salary information, summary of review committee deliberations and supporting documents, progress reports, financial records, payback records of research training awardees (i.e., recipients under the National Research Services Awards Program), and payback records of clinical training awardees.

Authority for maintenance of the system:

Public Health Service Act, Sections 301, 303, 487, 504(f), 504(g), 510, 511, 512, 515(b)(2) and (3), 516 (42 U.S.C. 241, 242a, 288, 290aa-3, 290bb, 290bb-1, 290bb91a, 290cc, 290cc-2); Pub. L. 99-319, Protection and Advocacy of Mentally Ill Individuals Act of 1986; Refugee Assistance Act of 1980, Section 501(c), Pub. L. 96-422; Refugee Assistance - Mental Health, 9 U.S.C.1521 et. seq.; and Mental Health Disaster and Emergency Mental Health Disaster Relief Act of 1974, Section 413, Pub. L. 93-288.

Purpose(s):

Records are maintained as official documentation relevant to the review, award, and administration of grant programs. Specifically, records are: (1) Used by staff program and management specialists for purpose of awarding and monitoring grant funds; (2) used to maintain communication with former trainees/fellows who have incurred an obligation for research training under the National Research Service Awards Program (42 U.S.C. 290aa-3 or for clinical training (42 U.S.C. 242a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Referrals may be made of assignments of research investigators and project monitors on specific research projects to the National Technical Information Service (NTIS), Department of Commerce, to contribute to the Smithsonian Science Information Exchange.

2. Disclosure may be made to qualified experts not within the definition of Department employees for opinion during the application review process.

3. Disclosure may be made to ADAMHA contractors for the purpose of providing services related to the grant review or for carrying out quality assessment, program evaluation, and management reviews. Contractors are required to maintain Privacy Act safeguards with respect to the records.

4. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal (e.g., the Department of Justice) or State (e.g., the State's Attorney's Office), charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto for litigation.

5. Disclosure may be made to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

6. Where Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

7. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

8. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

9. A record from this system may be disclosed to the following entities in order to help collect a debt owed the United States:

(a) To another Federal agency so that agency can effect a salary offset;
(b) To another Federal agency so that agency can effect an administrative offset under common law or under 31 U.S.C. 3716 (withholding from money payable to, or held on behalf of, the individual);
(c) To the Treasury Department to request his/her mailing address under I.R.C. 6103(m)(2) in order to locate him/her or in order to have a credit report prepared;
(d) To agents of the Department and to other third parties to help locate him/her in order to help collect or compromise a debt;
(e) To debt collection agents under 31 U.S.C. 3718 or under common law to help collect a debt; and
(f) To the Justice Department for litigation or further administrative action.

Disclosure under part (d) of this routine use is limited to the individual's name, address, social security number, and other information necessary to identify him/her. Disclosure under parts (a)-(c) and (e) is limited to those items; the amount, status, and history of the claim; and the agency or program under which the claim arose. An address obtained from IRS may be disclosed to a credit reporting agency under part (d) only for purposes of preparing a commercial credit report on the individual. Part (a) applies to claims or debts arising or payable under the Social Security Act if and only if the employee consents in writing to the offset.

10. ADAMHA may disclose information from its records in this system to consumer reporting agencies in order to obtain credit reports to verify credit worthiness of grant/cooperative agreement

applicants. Permissible disclosures include name, address, Social Security number or other information necessary to identify the individual; the funding being sought; and the program for which the information is being obtained.

11. When a debt becomes partly or wholly uncollectable, either because the time period for collection under the statute of limitations has expired or because the Government agrees with the individual to forgive or compromise the debt, a record from this system of records may be disclosed to the internal revenue service to report the written-off amount as taxable income to the individual.

12. A record from this system may be disclosed to another Federal agency that has asked the Department to effect an administrative offset under common law or under 31 U.S.C. 3716 to help collect a debt owed the United States.

Disclosure under this routine use is limited to: Name, address, Social Security number, and other information necessary to identify the individual, information about the money payable to or held for the individual, and other information concerning the administrative offset.

13. ADAMHA may disclose from this system of records to the Department of Treasury, Internal Revenue Service (IRS): (1) A delinquent debtor's name, address, Social Security number, and other information necessary to identify the debtor; (2) the amount of the debt; and (3) the program under which the debt arose, so that IRS can offset against the debt any income tax refunds which may be due to the debtor.

Disclosures to consumer reporting agencies:

Disclosures may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681 (f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of such disclosures is to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Information disclosed will be limited to name, Social Security number, address, other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose. Such disclosures will be made only after the procedural requirements of 31 U.S.C. 3711(f) have been met.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Noncomputerized documents are filed in folders in enclosed file cabinets and open shelves. Information on 3 x 5 cards in file cabinets. Computerized records exist in tape and disk form.

Retrievability:

By grant numbers and cross-indexed by name.

Safeguards:

Safeguards:

1. Authorized Users: Access is limited to the Chief, Grants Management Branch, and staff authorized by him/her: Grants specialists, grants technicians, program officials, assigned computer personnel, and possibly contractor staff including the project director and research associates.

2. Physical Safeguards: Records are maintained in a secured area. During normal work hours, area is staffed by authorized personnel who must show identification for entry. At other times, the computer area is locked. Hard copy files are stored in rooms which are locked at night. A 24-hour security guard patrols building.

3. Procedural Safeguards: Computer records are password protected; passwords are changed periodically. Contractors working on computerized records are given passwords to access data only on a need-to-know basis.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual and Part 6, 'ADP System Security' of the ADP Systems Security Manual.

Retention and disposal:

Records are retired to a Federal Records Center 2 years after termination of support and the completion of final audit.

System manager(s) and address:

Project Officer for Kentucky Contract, State Planning and Human Resources Development Branch, Division of Education and Service Systems Liason, National Institute of Mental Health, Room 7-103, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the appropriate System Manager at the above address. Verifiable proof of identity is required.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought, and should provide the official grant number when possible. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the appropriate System Manager at the address specified above and reasonably identify the record, specify the information being contested, the corrective action sought, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Applicants, grantees, fellows, trainees, personnel at grantee institution on whom the record is maintained, Federal advisory committees, site visitors, consultants, references.

Systems exempted from certain provisions of the act:

None.

09-30-0029

System name:

Record of Guest Workers, HHS/ADAMHA/OA.

Security classification:

None.

System location:

Alcohol, Drug Abuse, and Mental Health Administration
Division of Personnel Management
Room 15C-18, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Alcohol, Drug Abuse, and Mental Health Administration
Personnel Office
Room 4C-101, Building 10
9000 Rockville Pike
Bethesda, Maryland 20205
Addiction Research Center
National Institute on Drug Abuse
P.O. Box 5180
Baltimore, Maryland 21224

Categories of individuals covered by the system:

Individuals using ADAMHA facilities who are not employees.

Categories of records in the system:

Personal information including name, address, date and place of birth, education, employment, purpose for which ADAMHA facilities are desired, outside sponsor and ADAMHA sponsor.

Authority for maintenance of the system:

Public Health Service Act, Section 301, (42 U.S.C. 241).

Purpose(s):

To document individual's presence at ADAMHA and as a record that the individual is not performing services for ADAMHA and is therefore not an employee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to the U.S. Office of Personnel Management for program evaluation purposes.

2. Disclosure may be made to institutions providing financial support for subject individual.

3. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

4. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders.

Retrievability:

Retrieved by name.

Safeguards:

Safeguards:

1. Authorized Users: Authorized employees of the Division of Personnel Management and ADAMHA managers and supervisors with legitimate interest in guest worker.

2. Physical Safeguards: Records are stored in locked rooms.

3. Procedural Safeguards: Authorized individuals have been trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Retained for 2 years after completion of visit, then destroyed.

System manager(s) and address:

Director
Division of Personnel Management. ADAMHA
Room 12-95, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, contact the System Manager at the address above. Individuals who request notification in person must supply one proof of identity containing individual's complete name and one other identifier with picture (e.g., driver's license, building pass). Individuals who request notification by mail must supply notarized signature as proof of identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Subject individual and ADAMHA sponsor.

Systems exempted from certain provisions of the act:

None.

09-30-0030

System name:

Record of Visiting Fellows, HHS/ADAMHA/OA.

Security classification:

None.

System location:

Alcohol, Drug Abuse, and Mental Health Administration
Division of Personnel Management
Room 15C-18, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Alcohol, Drug Abuse, and Mental Health Administration
Personnel Office
Room 4C-101, Building 10
9000 Rockville Pike
Bethesda, Maryland 20205
Addiction Research Center
National Institute on Drug Abuse
P.O. Box 5180
Baltimore, Maryland 21224

Categories of individuals covered by the system:

Individuals undergoing training who are not employees.

Categories of records in the system:

Personal information including name, address, date and place of birth, education, qualifications for training, stipend information, visa information.

Authority for maintenance of the system:

Public Health Service Act, Sections 301 and 504 (42 U.S.C. 241 and 290aa-1).

Purpose(s):

To maintain information concerning their training while at ADAMHA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to the U.S. Office of Personnel Management for program evaluation purposes.

2. Disclosure may be made to the General Accounting Office for fund disbursement determinations.

3. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

4. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this information to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders.

Retrievability:

Retrieved by name.

Safeguards:

Safeguards:

1. Authorized Users: Access is limited to authorized employees of the Division of Personnel Management and ADAMHA managers and supervisors with a legitimate interest in the individual as a trainee.

2. Physical Safeguards: Records are kept in locked rooms accessible only to authorized employees.

3. Procedural Safeguards: Authorized users have been trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Retained for 2 years after completion of fellowship, then destroyed.

System manager(s) and address:

Director
Division of Personnel Management, ADAMHA
Room 12-95, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, contact the System Manager at the address above. Individuals who request notification in person must supply one proof of identity containing individual's complete name and one other identifier with picture (e.g., driver's license, building pass). Individuals who request notification by mail must supply notarized signature as proof of identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Fellowship applicant.

Systems exempted from certain provisions of the act:

None.

09-30-0033

System name:

Correspondence Files, HHS/ADAMHA/OA.

Security classification:

None.

System location:

ADAMHA Executive Secretariat
Room 12-94, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Executive Secretariat, National Institute on Drug Abuse
Room 10A-23, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Executive Secretariat, National Institute on Alcohol Abuse and Alcoholism
Room 16-97, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Washington National Records Center
4205 Suitland Road
Washington, D.C. 20409
Executive Secretariat, National Institute of Mental Health
Room 17C-25, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system:

Individuals who request information on ADAMHA programs.

Categories of records in the system:

Correspondence.

Authority for maintenance of the system:

Public Health Service Act, Sections 301, 302, 303 and Title V, Part A and B, (42 U.S.C. 241, 242, 242a, and 290aa-dd).

Purpose(s):

To provide reference retrieval and control to assure timely and appropriate attention.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Correspondence records maintained in hard copy; control records maintained on computer printout, tape, and disk.

Retrievability:

Hard copy records indexed alphabetically by name and date of outgoing correspondence, by subject, and/or by computerized numerical code. Records are cross-referenced in detail on computer.

Safeguards:

Safeguards:

1. Authorized Users: Authorized correspondence control staff in each location and managers and supervisors on a need-to-know basis.

2. Physical Safeguards: Records are maintained in file cabinets in a locked, secure location; computer system records are secured through the use of passwords which are changed frequently.

3. Procedural Safeguards: Only authorized personnel have access to files and passwords.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual and Part 6, 'ADP System Security' in the HHS ADP Systems Security Manual.

Retention and disposal:

Records are retired to the Federal Records Center after 3 years.

System manager(s) and address:

Same as location.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the applicable System Manager at the address above. Give name and approximate date of records requested. Individuals who request notification in person must supply one proof of identity containing individual's complete name and one other identifier with picture (e.g., driver's license, building pass). Individuals who request notification by mail must supply notarized signature as proof of identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the appropriate official at the address specified under Notification Procedures above and reasonably identify the record. Specify the information to be contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Records are derived from incoming and outgoing correspondence.

Systems exempted from certain provisions of the act:

None.

09-30-0035

System name:

Three Mile Island Mental Health Survey Respondents Records, HHS/ADAMHA/NIMH.

Security classification:

None.

System location:

Western Psychiatric Institute and Clinic
University of Pittsburgh
Pittsburgh, Pennsylvania 15260

Categories of individuals covered by the system:

Persons participating in the Three Mile Island Study of mental health sponsored by the National Institute of Mental Health following the nuclear reactor accident of March 19, 1979. Control group participants from Beaver County, Pennsylvania, are also included. The research and control groups both consist of workers in nuclear plants, mothers of young children, and mental health system clients.

Categories of records in the system:

Name, address, and responses to the following interview instruments, as appropriate: Sociodemographic information; physical illness overview; life events; symptom check list-90; social network interview; current mental health; job related issues; Langner screening inventory; and schedule for affective disorders and schizophrenia, lifetime version (SADS-L). The current mental health and the SADS-L instruments include interviewers' interpretations and diagnoses.

Authority for maintenance of the system:

Public Health Service Act, Section 301 (42 U.S.C. 241).

Purpose(s):

The system is created to enable the Government to arrange for followup study at a later date. Such a followup would demonstrate whether any mental health effects detected in this study are of a transient or long-term nature. Without such knowledge, it is impossible to develop realistic plans for adequately meeting people's needs in times of disaster. Currently, for example, in the absence of knowledge about the duration of disaster-precipitated mental health problems, Federal grants for providing mental health services to disaster victims are limited to a 6-month period. Followup studies, such as the one proposed here, would help to ascertain the soundness of such a policy.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to--(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature retaining such information, and (3) make no further use or disclosure of the record except--(a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;

(d) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

2. Disclosure of relevant records may be made to a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. The contractor will be required to maintain Privacy Act safeguards with respect to such records.

3. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: safeguards:

1. Authorized Users: Contractor or grant personnel whose duties require the use of information in the file for research purposes.

2. Physical Safeguards: Original questionnaires were converted to microfiche, and the questionnaires destroyed by shredding. Two sets of microfiche, including the cross indexes, are being maintained in separate locations. Records are maintained in numerical order by the assigned identification number. An index is also maintained by name and identification number for cross reference. The microfiche are boxed and sealed and are stored in a secured safe and/or vault.

3. Procedural Safeguards: Access to the safe and/or vault in which the microfiche are stored is permitted only if authorized in writing by the Director of Sponsored Research or an authorized university official

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Retention of microfiche will not exceed 22 years from date of recording. Destruction will be by burning, certified by an authorized university official.

System manager(s) and address:

Chief
Emergency Services Branch
Division of Education and Service Systems Liaison
National Institute of Mental Health
Room 7C-02, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, contact the System Manager at the address above. Written requests must contain full name and notarized signature, and address at time of interview. Requests made in person require identification, such as driver's license, union card, passport, or notarized statement that the person is who he/she claims to be.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought, including the name of the interview instrument(s), if known. Because the current mental health instrument and the schedule for affective disorders and schizophrenia include interviewer diagnoses, these portions of the record constitute medical records. An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals in the system.

Systems exempted from certain provisions of the act:

None.

09-30-0036

System name:

Alcohol, Drug Abuse, and Mental Health Epidemiologic and Biometric Research Data, HHS/ADAMHA/OA.

Security classification:

None.

System location:

Records are located at the research facilities which collect or provide research data for this system under contract to the agency. Contractors may include, but are not limited to, research centers, clinics, hospitals, universities, research foundations, national associations, and coordinating centers. Records may also be located at the research facilities of the Division of Biometry and Epidemiology, National Institute on Alcohol Abuse and Alcoholism (NIAAA); the Division of Clinical Research and Division of Epidemiology and Statistical Analysis, National Institute on Drug Abuse (NIDA); and the Division of Biometry and Applied Sciences and the Division of Clinical Research, National Institute of Mental Health (NIMH); and the Finance and Coverage Policy Staff, Office of the Administrator (OA). A current list of sites is available by writing to the appropriate System Manager at the address below.

Categories of individuals covered by the system:

Individuals who are the subjects of research in epidemiologic, clinical, methodologic, and longitudinal research studies and surveys of mental health and alcohol and drug use/abuse and mental, alcohol, and/or drug abuse disorders. These individuals are selected as representative of the general adult and/or child population or of special groups. Special groups include, but are not limited to, normal individuals serving as controls; clients referred for or receiving medical, mental health, and alcohol and/or drug abuse related treatment and prevention services; providers of services; demographic sub-groups as applicable, such as age, sex, ethnicity, race, occupation, geographic location; and groups exposed to hypothesized risks, such as relatives of individuals who have experienced mental health and/or alcohol, and/or drug abuse disorders, life stresses, or have previous history of mental, alcohol, and/or drug abuse related illness.

Categories of records in the system:

The system contains data about the individual as relevant to a particular research study. Examples include, but are not limited to, items about the health/mental health and/or alcohol and/or drug consumption patterns of the individual; demographic data; social security numbers (voluntary); past and present life experiences; personality characteristics; social functioning; utilization of health/mental health, alcohol and/or drug abuse services; family history; physiological measures; and characteristics and activities of health/mental health, alcohol abuse, and/or drug abuse care providers.

Authority for maintenance of the system:

Public Health Service Act, Section 301 (42 U.S.C. 241, General Research and Investigation Authorities); Public Health Service Act, Sections 301, 302, 303 and Title V, Parts A and B (42 U.S.C. 241, 242, 242(a), and 290 (aa-dd)); Drug Abuse Prevention, Treatment, and Rehabilitation Act, Section 410 (42 U.S.C. 1177); Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act, Section 311 (42 U.S.C 4591).

Purpose(s):

The purpose of the system of records is to collect and maintain a data base for research activities of the Division of Biometry and Applied Sciences and the Division of Clinical Research, NIMH, and the Division of Biometry and Epidemiology of NIAAA, the Division of Epidemiology and Statistical Analysis and the Division of Clinical Research, both of NIDA, and the Finance and Coverage Policy Staff, OA. Analyses of these data involve groups of individuals with given characteristics and do not refer to specific individuals. The generation of information and statistical analyses will ultimately lead to a better description and understanding of mental, alcohol, and/or drug abuse disorders, their diagnosis, treatment and prevention, and the promotion of good physical and mental health.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; e.g., disclosure of alcohol or drug abuse patient records will be made only in accordance with the restrictions of confidentiality statutes and regulations 42 U.S.C. 290 (dd-3), 42 U.S.C. 290 (ee-3), 42 CFR Part 2, and where applicable, no disclosures will be made inconsistent with an authorization of confidentiality under 42 U.S.C. 242a and 42 CFR Part 2a;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to--(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except--(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; and

(d) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by, these provisions.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from a congressional office made at the written request of that individual.

3. In the event of litigation, where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee; the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected (e.g., disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of the individual's participation in activities of a Federal Government supported research project).

4. The Department contemplates that it will contract with a private firm for the purpose of collecting, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records may be stored on index cards, file folders, computer tapes and disks, microfiche, microfilm, and audio and video tapes. Normally, the factual data, with study code numbers, are stored on computer tape or disk, while the key to personal identifiers is stored separately, without factual data, in paper files.

Retrievability:

During data collection stages and followup, if any, retrieval by personal identifier (e.g., name , social security number (in some studies), or medical record number) is necessary. During the data analysis stage, data are normally retrieved by the variables of interest (e.g., diagnosis, age, occupation).

Safeguards:

Safeguards:

1. Authorized Users: Access to identifiers and to link files is strictly limited to the authorized personnel whose duties require such access. Procedures for determining authorized access to identified data are established as appropriate for each location. Personnel, including contractor personnel, who may be so authorized include those directly involved in data collection and in the design of research studies, e.g., interviewers and interviewer supervisors; project managers; statisticians involved in designing sampling plans.

2. Physical Safeguards: Records are stored in locked rooms, locked file cabinets, and/or secured computer facilities. Personal identifiers and link files are separated as much as possible and stored in locked files. Computer data access is limited through the use of key words known only to authorized personnel.

3. Procedural Safeguards: Collection and maintenance of data is consistent with legislation and regulations in the protection of human subjects, informed consent, confidentiality, and confidentiality specific to drug and alcohol abuse patients where these apply. When an Institute Division or a contractor provides anonymous data to research scientists for analysis, study numbers which can be matched to personal identifiers will be eliminated, scrambled, or replaced by the agency or contractor with random numbers which cannot be matched. Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual and Part 6, 'ADP System Security' of the HHS ADP Systems Security Manual.

Retention and disposal:

Personal identifiers are retained only as long as they are needed for the purposes of the current research project, and for followup studies generated by the present study. Removal or disposal of identifiers is done according to the storage medium (e.g., erase computer tape, shred or burn index cards, etc.). A staff person designated by the System Manager will oversee and will describe and confirm the disposal in writing.

System manager(s) and address:

The policy coordinating official for this system of records is also the System Manager for NIMH, Division of Clinical Research subsystem.

Director, Division of Biometry and Applied Sciences
National Institute of Mental Health
Room 18C-26, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Director, Division of Clinical Research

National Institute of Mental Health
Room 10-105, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Director, Division of Biometry and Epidemiology
National Institute on Alcohol Abuse and Alcoholism
Room 14C-26, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Director, Division of Clinical Research
National Institute on Drug Abuse
Room 10A-38, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Director, Division of Epidemiology and Statistical Analysis
National Institute on Drug Abuse
Room 11A-55, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857
Finance and Coverage Policy Staff
Office of the Administrator
Room 13C-06, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the appropriate System Manager at the address above. Provide individual's name; current address; date of birth; date, place and nature of participation in specific research study; name of individual or organization administering the research study (if known); name or description of the research study (if known); address at the time of participation; and a notarized statement by two witnesses attesting to the individual's identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Contesting record procedures:

Contact the appropriate official at the address specified under System Manager(s) above and reasonably identify the record, specify the information being contested, and state corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

The system contains information obtained directly from the subject individual by interview (face-to-face or telephone), by written questionnaire, or by other tests, recording devices or observations, consistent with legislation and regulation regarding informed consent and protection of human subjects. Information is also obtained from other sources, such as health, mental health, alcohol, and/or drug abuse care providers; relatives; guardians; and clinical medical research records.

Systems exempted from certain provisions of the act:

None.

09-30-0037

System name:

Psychotherapy of Opiate-Dependent Individuals, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

Drug Dependence Treatment and Research Center
Philadelphia Veterans Administration Hospital (116D)
University of Pennsylvania
39th Street and Woodland Avenue
Philadelphia, Pennsylvania 19104

Categories of individuals covered by the system:

Research subjects are adult clients admitted to a participating drug abuse treatment program offered by and located in the Philadelphia Veterans Administration Hospital, between September 30, 1977, and September 29, 1981.

Categories of records in the system:

Name and address of study subjects and their responses to interview instruments and tests in the following areas: Sociodemographic characteristics; and psychiatric diagnosis; symptom, social functioning, and personality measures. Information on the drug abuse treatment and psychotherapy provided, and therapists' evaluations, are also included.

Authority for maintenance of the system:

Drug Abuse Prevention, Treatment and Rehabilitation Act (1972), Section 410 (21 U.S.C. 1177); Public Health Act, Sections 301 and 515 (42 U.S.C. 241 and 290cc).

Purpose(s):

The system was created to provide a data base to be used by NIDA for research leading to a better knowledge and understanding of the psychiatric status of opiate-dependent individuals and to determine the efficacy of psychotherapy as part of a treatment program for such individuals. We do not anticipate any disclosure of individually identifiable information to other persons or organizations within the Department of Health and Human Services. Should a request for disclosure occur within the Department, such as provided by Section 3(b) of the Privacy Act, disclosure would not be permitted except in accordance with confidentiality regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except: (A) In emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on interview forms, audiotapes, keypunch cards, magnetic tapes, and disks.

Retrievability:

Research records and locational information for followup are maintained in numerical order by assigned client number. A list is also maintained by name and assigned client number for cross reference.

Safeguards:

1. Authorized Users: Federal Project Officer and staff (administrative assistant secretary) and contract staff designated on the negotiated contract to work as part of the contract staff. These persons could be, but not limited to, Project Director, and his/her assistants and secretary. All contract staff are required to maintain all Privacy Act safeguards requirements.

2. Physical Safeguards: Records are stored in files that are locked in a room that is locked after hours. The building has controlled entry (i.e., picture identification and/or sign in and out procedures).

The computerized information is password protected and the passwords are changed periodically.

3. Procedural Safeguards: An authorization under Section 303(a) of the Public Health Service Act as amended (42 U.S.C. 242a(a), implemented by confidentiality regulations (42 CFR Part 2a), has been issued to the contractor to assure that the contractor may not be compelled in any legal proceeding to identify the research subjects. In addition, these records are subject to the protective restrictions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations (42 CFR 2.56).

Project documentation, including cross-reference list, completed interview forms, audiotapes, and computerized data files, is maintained under strict controls in a secure room at the contractors' facilities to ensure data integrity and confidentiality. The list, interview forms and audiotapes are stored in a locked and secure work space until data is entered on magnetic media and verified. The forms and cross-reference list are destroyed by burning or shredding, and audiotapes are erased when the connection to the individual is no longer necessary in the analysis of the data. The analysis is now in progress (1986) and is expected to be completed in approximately 5 years (1991). After study source documents are disposed of, no connection can be made between computer file data and the individual. Magnetic tapes and disks are kept in a vault area. During all stages of processing and storage, senior project personnel control access to and removal and replacement of all documents from specified working and storage areas. Access is permitted only upon the written authority of the Principal Investigator or Co-Principal Investigators. The contractor has developed an extensive computer facilities security system which is used by programmers to protect computer account codes and data from access by unauthorized users.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual; and Part 6, 'ADP System Security' in the HHS ADP Systems Security Manual.

Retention and disposal:

After all data collection and processing are completed (which is anticipated to be no more than five years after the analysis of the data is completed), the NIDA project officer will authorize, in writing, the destruction of the personal identifiers and source documents unless the information is needed for research purposes.

System manager(s) and address:

Project Officer, Psychotherapy of Opiate-Dependent Individuals, Technology Transfer Branch, Division of Clinical Research, National Institute on Drug Abuse, Room 10A-37, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. An individual may learn if a record exists about himself or herself upon written request with notarized signature. The request should include, if known: Name of the researcher, name of the study, location of the research site, approximate date of data collection, any alias used by individual, and assigned client number.

An individual who requests notification of, or access to, a medical record, shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Research subjects, drug treatment programs, clinical evaluators, counselors, psychiatrists, psychotherapists, family members, research assistants, pharmacies, hospitals.

Systems exempted from certain provisions of the act:

None.

09-30-0038

System name:

Subject-Participants in Pharmacokinetic Studies on Drugs of Abuse, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

Department of Psychiatry
School of Medicine
University of North Carolina
Chapel Hill, North Carolina 27514
Research Triangle Institute
Life Sciences Division
Research Triangle Park, North Carolina 27154
University of California, San Francisco
Langley Porter Psychiatric Institute
San Francisco, California 94143

Categories of individuals covered by the system:

Normal, healthy adults who voluntarily participate in studies on the pharmacokinetics of drugs of abuse, at the University of North Carolina, during the period November 1979 through September 1984 and September 1987 through September 1990 and Langley Porter Psychiatric Institute, during the period September 1987 through September 1992.

Categories of records in the system:

Research records on each subject-participant contain the following information: Name; clinician's records including medical history, laboratory test results, physical examinations, psychological profile, and drug use profile; drug study data including records of drugs administered, exposures to radioactivity, and drug reactions; and date of study in which the subject participated.

Authority for maintenance of the system:

Public Health Service Act, Sections 301(a), 503 and 515 (42 U.S.C. 241(a), 290aa-2 and 290cc).

Purpose(s):

The primary purpose of this system is to support research on the pharmacokinetics of drugs of abuse. The term 'pharmacokinetics' refers to the manner in which the human body processes a drug.

The clinical investigator used data of a medical nature that is contained in the system to make determinations regarding drug dosages and/or radiochemical exposures appropriate to the individual human subject-participants, in order to preserve and protect the health of each. The system also provides baseline data for studying the drug effects.

The Food and Drug Administration (FDA) also may use the records in routine inspections FDA conducts in accordance with its responsibilities to develop standards on the composition, quality, safety, and efficacy of drugs administered to humans, and to monitor experimental usage of drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. We may disclose to a congressional office the record of an individual in response to a verified inquiry from the congressional office made at the written request of the individual.

2. ADAMHA contractors use the records in this system to accomplish the research purpose for which the records are collected. The contractors are required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The contractor maintains the records on paper in file folders.

Retrievability:

The contractor indexes and retrieves the records by the subject-participant's name.

Safeguards:

1. Authorized Users: Only the contract Project Director and his/her research team and the Federal Project Officer and his/her support staff have access to these records.

2. Physical Safeguards: The contractor keeps all records in a locked metal file cabinet in premises with limited accessibility. Only the clinical investigator (Project Director) has the key to the locked files.

3. Procedural Safeguards: Only the contract staff have access to the files. Persons other than subject participants who request individually identifiable data from a record, must provide written consent from the subject participant permitting the requested disclosure. The only exception would be for disclosure to persons or organizations permitted by the Privacy Act, Section 3(B) to obtain personally identifiable data.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. In addition, the contract staff complies with contractor's (School of Medicine of the University of North Carolina) standard procedures for safeguarding data.

Retention and disposal:

The records will be kept no later than September 1995 (5 years after the anticipated completion of the studies). At that time, the NIDA project officer will authorize in writing the clinical investigation to destroy the records by shredding or burning.

System manager(s) and address:

Project Officer
Pharmacokinetic Studies on Drugs of Abuse
National Institute on Drug Abuse
Alcohol, Drug Abuse, and Mental Health Administration
Room 10A-31, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the system manager listed above.

Provide the following information: Subject-participant's full name and a letter of request (or permission, if the requester is not the subject-participant) with notarized signature of the individual who is the subject of the record, approximate date(s) of experiment(s) in which the individual participated, and drug name (if known). In addition, an individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its content at the representative's discretion.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the System Manager at the address above and reasonably identify the record, specify the information to be contested, the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

The subject-participants and the contractor personnel conducting the research studies.

Systems exempted from certain provisions of the act:

None.

09-30-0039

System name:

Drug Abuse Treatment Outcome Studies, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

For the Treatment Outcome Prospective Study (TOPS):

Computer Application Center, Research Triangle Institute, Box 12194, Research Triangle Park, North Carolina 27709.

For the new FY 1990 study, the contract will be awarded in December 1989. Therefore, contractor location is not yet known.

Categories of individuals covered by the system:

Voluntary adult clients of federally funded treatment programs, including Treatment Alternative Street Crime (TASC) Programs of the Department of Justice, who requested to be included in the Treatment Outcome Prospective Study (TOPS) where data collection data began in 1979 and continued through 1986. Also included will be new data on voluntary adult clients of federally funded treatment programs who have requested to be included in a new study entitled "Drug Abuse Treaty Outcome Study" (DATOS) The new study will begin in 1990 and will continue through 1994.

Categories of records in the system:

The categories are: Demographic data indicators of physical and psychological health, drug abuse history and treatment outcome data, treatment process data, client locator information, and personal identifiers (name and assigned numerical identifier).

Authority for maintenance of the system:

Public Health Service Act, Sections 301(a), 503 and 515 (42 U.S.C. 241(a), 290aa-2 and 290cc).

Purpose(s):

The purpose of the system is to compile information on drug abusers who obtain treatment in Federally funded drug abuse treatment programs in order to derive information on the effectiveness of treatment outcome and environments and abusers behaviors and characteristics subsequent to treatment. Researchers and drug abuse service providers may use the aggregate data to address issues and generate hypotheses to understand better the interactions among the client, clinic, and community.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Within the restrictions set forth in HHS regulations concerning the confidentiality of drug abuse patient records (42 CFR 2.56), we may disclose a record for a research purpose, when the Department: (a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (b) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (c) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except: (A) In emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; (d) has secured a written statement attesting to the recipient's understanding of, and willingness to, abide by these provisions.

2. An ADAMHA contractor (to be determined) uses the records in this system to accomplish the research purpose for which the records are collected. In the event of followup studies or continuation studies because the contract has been terminated for convenience by the Government, we may disclose records in this system to a subsequent ADAMHA contractor. We would require the new contractor to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Interview forms, magnetic tapes, and disks.

Retrievability:

Records are indexed and retrieved by name and unique numerical identifier. In order to relate the data collected to specific individuals, one must use the link file discussed under Safeguards.

Safeguards:

1. Authorized Users: Contractor personnel, the agency project officer, and agency employees whose duties require the use of the information in the system.

2. Physical Safeguards: The data management task leader, the project leader, or the project director provide technical supervision of all data collection and processing activities. Individually identified forms are stored in a secure, vault-like room provided for this purpose. Authorized personnel have access to the room by one locked door with controlled entry, i.e., only on the written authority of the professional staff member in charge. Computerized records are kept in a vault area with limited accession.

3. Procedural Safeguards: Because some of the data collected in this study, such as data on drug use, are sensitive and confidential, special safeguards have been established. A Certificate of Confidentiality has been issued under 42 CFR Part 2a. This authorization enables persons engaged in research on mental health, including research on the use and effect of psychoactive drugs, to protect the privacy of research subjects by withholding the names or other identifying characteristics from all persons not connected with the conduct of the research. Persons so authorized may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings to identify such individuals. In addition, these records are subject to 42 CFR Part 2, the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations (42 CFR 2.56), which state: "Where the content of patient records has been disclosed pursuant to (these regulations) for the purpose of conduct-

ing scientific research...information contained therein which would directly or indirectly identify any patient may not be disclosed by the recipient thereof either voluntarily or in response to any legal process whether Federal or State."

Another safeguard is that the forms containing subject identification information for client followup and data matching purposes do not include any reference to the purpose of the study. Identification and location information is kept separate from any information that would suggest that the respondent has been in a drug treatment program.

Information on completed forms is entered immediately on the computer. Completed forms and computerized data are released only to authorized persons. Only aggregate data are provided and used in the preparation of necessary and appropriate reports.

A link file system is used. This system has three components: (1) Personal information, (2) data base information, and (3) the link file, which contains identifying number pairs which can be used to match data with individuals. The advantage of this system is that the data base can be used directly for report generation, etc., without the use of decrypting subroutines or access to the personal information or matching link files.

In addition, the computer center being utilized has developed an extensive security system to protect computer account codes and data. This system is described in a publication that is available from the System Manager upon request.

We do not anticipate any disclosure of individually identifiable information to other persons or organizations within the Department of Health and Human Services. Nor does the contractor provide individually identification information to the Department of Justice, with which NIDA has a cooperative agreement for this study.

4. Implementation Guidelines: We used the National Bureau of Standards guidelines and Part 6, HHS ADP Systems Security Manual, 'ADP System Security' in developing the computer safeguard procedures. Safeguards for nonautomated records are in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. In addition, project staff complies with the contractor's (Research Triangle Institute) standard procedures for safeguarding data.

The contractor provides only aggregate information to NIDA.

Retention and disposal:

The contractor destroys interview forms by shredding or burning immediately after contractor staff have completed and verified direct entry on magnetic tape or disk storage. The contractor will destroy individual identification and location data by shredding or burning, under the explicit written authorization of the System Manager, which is anticipated to be no longer than 5 years after the termination of the study unless the information is needed for research purposes. We will retain aggregate data tapes for research purposes. These tapes will not have any individually identifiable information. In accordance with the ADAMHA Records Control Schedule, these tapes will be retained for 5 years after completion of the project. At that time, the tapes will be retired to the Federal Records Center and destroyed when they are 10 years old or when they are no longer needed for research purposes.

System manager(s) and address:

Treatment Outcome Studies, Chief, Clinical Medicine Branch, Division of Clinical Research, National Institute on Drug Abuse, Alcohol, Drug Abuse, and Mental Health Administration, Room 10A-30, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. An individual may learn if a record exists about himself/herself upon written request, with notarized signature. The request should include, if known, name of the researcher, location of the research site, approximate date of data collection, any alias used, and subject identification number.

An individual who requests notification of a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Persons other than subject individuals, who request individually identifiable data from a record must provide written consent from the subject individual permitting the requested disclosure. The only exception (if not in conflict with confidentiality regulations) would be for disclosure to persons or organizations permitted by the Privacy Act, Section 3(b), to obtain personally identifiable data.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Research subjects, and staff in participating drug abuse treatment programs, written clinical evaluations, counselors, psychiatrists, psychotherapists, family members, research assistants, hospitals.

Systems exempted from certain provisions of the act:

None.

09-30-0041

System name:

Subject-Participants in Drug Abuse Research Studies Supporting New Drug Applications, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

Addiction Research Center, National Institute on Drug Abuse, Francis Scott Key Medical Center, PO Box 5180, Baltimore, Maryland 21224.

Categories of individuals covered by the system:

Voluntary adult clients of federally funded and other drug abuse treatment programs who have requested to receive naltrexone or levo-alpha acetylmethadol (LAAM) as part of their treatment. Data collection for LAAM began in 1975 and continued through September 1979; and, for naltrexone began in 1977 and continued through June 1984.

Categories of records in the system:

Demographic data, treatment outcome data, treatment process data, client locator information, and personal identifiers (name and assigned numerical identifier).

Authority for maintenance of the system:

Public Health Service Act, Sections 301(a), 303, 503, and 515 (42 U.S.C. 241(a), 242a, 290aa-2 and 290cc).

Purpose(s):

1. To maintain information on the effectiveness of drugs with abuse potential in various treatment environments and modalities and changes in the behavior and characteristics of drug abusers who received these substances as part of their treatment regimen.

2. To provide data required by the Food and Drug Administration (FDA) to support new drug applications for various drugs with abuse potential. A new drug application is a notice to FDA that a pharmaceutical company believes they have enough data to demonstrate the safety and efficacy of a substance to satisfy FDA for marketing the substance. FDA may also use the records in routine inspections. FDA conducts in accordance with its responsibilities to develop standards on the composition, quality, safety and efficacy of drugs administered to humans, and to monitor experimental usage of drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

ADAMHA contractor(s) use the records in the system in order to accomplish the research and development purposes for which the records were collected. In the event of a followup study or continuation study, the responsible project officer may disclose records in this system to a subsequent ADAMHA contractor(s). Any new contractor(s) is and would be required to maintain Privacy Act safeguards with respect to such records and to comply with the confidentiality restrictions of 42 CFR Part 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Interview forms, magnetic tapes, disks and microfiche in boxes in closed cabinets in a locked room with limited accessibility.

Retrievability:

The records are indexed and retrieved by subject-participant's name and unique numerical identifier. In order to relate the data collected to specific individuals, however, one must use the link file discussed under safeguards.

Safeguards:

1. Authorized Users: For the naltrexone study, the System Manager or Federal Project Officer and only authorized contract staff have access to the records (computerized and hard copy files) in the system. The contractor provides only aggregate data in reports to NIDA, FDA, or the public. Only the NIDA personnel mentioned previously and selected authorized contract staff have access to the stored LAAM records.

A certificate of confidentiality has been issued to researchers conducting the naltrexone study under 42 CFR Part 2, Protection of Identity--Research Subjects. This authorization enables persons engaged in research on mental health, including research on the use and effect of psychoactive drugs, to protect the privacy of research subjects by withholding the names or other identifying characteristics from all persons not connected with the conduct of the research. Persons so authorized may not be compelled in any Federal, State or local civil, criminal, administrative, legislative, or other proceedings to identify such individuals. The LAAM study was not conducted under a certificate of confidentiality. These regulations do not prohibit voluntary disclosure by the researcher. However, the records of both studies also are subject to 42 CFR Part 2, the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations (42 CFR 2.56), which state: "Where the content of patient records has been disclosed. Pursuant to (these regulations) for the purpose of conducting scientific research ...information contained therein which would directly or indirectly identify any patient may not be disclosed by the recipient thereof either voluntarily of in response to any legal process whether Federal or State."

The contractor's institutional review board reviewed and approved the safeguards described above in accordance with 45 CFR Part 46 on the Protection of Human Subjects.

2. Physical Safeguards: For the naltrexone records, the contractor(s) stored individually identified forms in a locked room with controlled entry. The contractor staff entered the collected information onto computer tape or disks as soon after contact with the subject-participant as possible, and NIDA now stores the computerized records in a secured area with access limited as above.

For the LAAM records, NIDA stores the individually identified forms in a lockable cabinet in a secure room. Only authorized NIDA personnel, i.e., Addiction Research Center professional staff (research psychologist or medical officer) and their support staff (program assistant, clerk-typist, or secretary) have access to the room with controlled entry. The room is in a building which has a 24-hour guard/television surveillance system and has controlled entry (picture identification sign in and out procedures) at all times.

Another safeguard for both studies is that the forms containing subject identification information do not include any reference to the purpose of the study. The identification information is separate from any information that would suggest that the respondent is or has been in a drug abuse treatment program. In addition, the computer center being utilized for naltrexone has developed an extensive security system to protect computer account codes and data.

3. Procedural Safeguards: Access to the computerized records of the naltrexone study is protected by a computerized password routine which is changed periodically. In addition, the project staff complies with the contractor's standard procedures for safeguarding data. The link file system that identifies individuals with personal data has three components: (1) Identification information, (2) data base information, and (3) the link file, which contains identifying number pairs which match data with individuals. The advantage of this system is that one may use the baseline data directly for report generation, etc., without using the subroutines or accessing the personal information or link files.

4. Implementation Guidelines. DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual and Part 6, 'ADP System Security' in the HHS ADP Systems Security Manual.

Retention and disposal:

The naltrexone ARC staff will destroy identifiable information by shredding or burning when it is no longer needed for analysis or research purposes; then the tapes will be erased. NIDA will destroy individual identification and match-up information by shredding or burning 5 years after FDA completes the review and approves the new drug applications.

NIDA will retain the aggregate data tapes from both studies for research purposes. These tapes will not have any individually identifiable information. In accordance with the FDA regulations governing new drug applications, the aggregate tapes will be retained for 5 years after FDA approves the new drug applications. At that time, the tapes will be retired to the Federal Records Center and destroyed when they are 5 years old or when they are no longer needed for research purposes.

System manager(s) and address:

Medications Development Coordinator, Addiction Research Center, National Institute on Drug Abuse, Francis Scott Key Medical Center, PO Box 5180, Baltimore, Maryland 21224

Project Officer, LAAM Records
Addiction Research Center
National Institute on Drug Abuse
Francis Scott Key Medical Center
4940 Eastern Avenue
Baltimore, Maryland 21224

Notification procedure:

An individual may determine if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, to the appropriate system manager at the address above. The following information should be included, if known: Subject-participant's full name and a letter of request with notarized signature of the subject-participant of the record, any alias used, subject-participant's identification number, name of the researcher, name of clinic or research center, name of substance, and approximate date of study participation.

An individual who requests notification of a medical record must, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedures above and reasonably identify the record, specify the information being contested, the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Research subject-participants, staff in the participating drug abuse treatment programs, written clinical evaluations, private physicians, counselors, psychiatrists, psychotherapists, family members, research assistants, and hospital records.

Systems exempted from certain provisions of the act:

None.

09-30-0043

System name:

Shipment Records of Drugs of Abuse to Authorized Researchers, HHS/ADAMHA/NIDA.

Security classification:

None.

System location:

Research Technology Branch, Division of Preclinical Research, National Institute on Drug Abuse, Room 10A-31, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Categories of individuals covered by the system:

Individual researchers and organizations who are registered with the Drug Enforcement Administration (DEA), Department of Justice (DOJ), some since 1966, and who have voluntarily submitted documentation to the National Institute on Drug Abuse (NIDA) in order to obtain, through the NIDA Drug Supply Program (DSP), drugs of abuse for use in a research project.

Categories of records in the system:

While the records in this system are research project-related, they support the eligibility of individual researchers to receive drugs of abuse. Types of information contained in the records are: Researcher's name, curriculum vitae, research protocol, DEA and (if applicable) Nuclear Regulatory Commission registration numbers (when a radiolabeled compound is requested and shipped), business address (location of research project) and telephone number, summary of research project(s), requests for substance(s), name and amount of each compound requested and shipped, dates material is shipped and received, shipment numbers, and order form numbers.

Authority for maintenance of the system:

Public Health Service Act, Sections 301(a), 503 and 515 (42 U.S.C. 241(a), 290aa-2, and 290cc); Controlled Substances Act of 1970 (21 U.S.C. 801 et seq.); Atomic Energy Act of 1954, as amended, Section 81 (42 U.S.C 2111); and Energy Reorganization Act of 1974, Section 201 (42 U.S.C. 5841); Energy Reorganization Act of 1974, Section 201 (42 U.S.C. 5841).

Purpose(s):

To facilitate operation of DSP which is a centralized research support service through which the United States Government supplies to the national and international scientific community for research purposes, most Schedule I and many Schedule II-V controlled and noncontrolled substances as specified in the Controlled Substances Act (CSA) of 1970 (21 U.S.C. 801 et seq.). Controlled substances are chemicals and other substances, and their immediate precursors, that the Attorney General has determined to have such potential for abuse as to warrant regulation under the CSA. Some of these substances are radiolabeled materials. Radiolabeled materials are substances to which a small amount of radioactivity is added for use in various studies, such as drug metabolism and mechanisms of drug actions.

This system of records was established to facilitate DSP by enabling NIDA:

1. To verify that requests for drugs of abuse, some of which are radiolabeled, are from authorized individuals/organizations for use in a research project;
2. To verify that the amounts of the materials requested by researchers for animal, in vivo, and in vitro research are justified and available;
3. To supply controlled substances in amounts approved by the Food and Drug Administration (FDA) to researchers conducting research with human subjects;
4. To ship these materials securely in accordance with CSA and the Atomic Energy Act; and
5. To maintain records of these transactions.

FDA also may use the records in routine inspections in accordance with FDA's responsibilities to develop standards on the composition, safety, and efficacy of drugs administered to humans, and to monitor experimental usage of drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. We may disclose the record of an individual to a congressional office in response to a verified inquiry from the congressional office made at the written request of the individual.
2. We may disclose information to DEA, DOJ, to enable DEA to carry out its responsibilities as described in the Controlled Substances Act of 1970.
3. An ADAMHA contractor routinely uses the records in this system to ship controlled substances to authorized recipients. Such contractor is required to maintain Privacy Act safeguards with respect to these records.
4. An ADAMHA contractor may have access to the records in this system in the performance of its software modification/correction tasks specified in its contract. Such contractor is required to maintain Privacy Act safeguards with respect to these records.
5. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

NIDA maintains 'hard copy' records in file folders and automated records on computer disk.

Retrievability:

Authorized NIDA and contractor personnel index and retrieve the computerized records by a researcher code number assigned by a computer program at the time a new record is established. Authorized NIDA personnel index and retrieve 'hard copy' records by researcher's name. NIDA maintains a computerized, alphabetical cross-reference list that matches names and numbers.

Safeguards:

1. Authorized Users: The Chief, Research Technology Branch and his or her support staff, program assistant and clerk-typist, and the contracts' project directors and their support staffs have access to the records.
2. Physical Safeguards: The 'hard copy' records and main computer are physically located at the Parklawn Building, Rockville, Maryland. The computerized records are kept in a room with limited admittance. The room is locked after working hours. The 'hard copy' records are stored in locked file cabinets in a room with very limited admittance. This room is also locked after working hours. The Parklawn Building has a 24-hour guard patrol service.
3. Procedural Safeguards: The terminals are housed in a secured work area with limited admittance. Contract personnel use a password identification system to obtain access; NIDA changes the passwords periodically.
4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, 'ADP System Security,' in the HHS ADP Systems Security Manual.

Retention and disposal:

NIDA maintains an individual's record for 5 years after the researcher's last request for, or shipment of, a drug of abuse. We consider the record inactive after that, and erase it from the computer disk by a delete routine. The delete routine automatically deletes the computerized cross-reference as well. We destroy the 'hard copy' record by shredding. The system is checked once a year for inactive records.

System manager(s) and address:

Project Director, Drug Supply Program, Research Technology Branch, Division of Preclinical Research, Room 10A-31, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. An individual may learn if a record exists about himself or herself upon written request. The request should include the researcher's name and business address at the time of last shipment. The request must be signed in ink by the individual researcher. Verifiable proof of identity is required.

Record access procedures:

Same as Notification Procedures. Requesters should also reasonably specify the record contents being sought. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Initial source is the individual researcher. Some of the DEA registration information provided by a researcher is verified through a DEA computer check. FDA provides information concerning type and amount of controlled substance(s) to be shipped to an individual researcher for research projects involving human subjects.

Systems exempted from certain provisions of the act:

None.

09-30-0047

System name:

Patient Records on Chronic Mentally Ill Merchant Seamen Treatment at Nursing Homes in Lexington, Kentucky (1942 to the Present), HHS/ADAMHA/NIMH.

System name:

None.

System location:

Contractor:

Commonwealth of Kentucky, Department of Mental Health/Mental Retardation, Mental Health Branch, Cabinet for Human Resources, 275 E. Main Street, Frankfort, Kentucky 40621.

Subcontractors:

Homestead Nursing Center, Inc., 1608 Versailles Road, Lexington, Kentucky 40504; and Harrison's Sanitarium and Rehabilitation Center, 1537 N. Limestone Street, Lexington, Kentucky 40505.

Categories of individuals covered by the system:

Chronic mentally ill former merchant seamen originally treated at PHS Hospitals in Fort Worth, Texas, and Lexington, Kentucky, and now in nursing homes in Lexington, Kentucky (1942 to the present).

Categories of records in the system:

Administrative records, such as admission, and release dates; name, address, social security number, and other demographic data; medical records, such as, but not limited to, psychological, medical and social evaluations as well as treatment information, any laboratory test, etc.

Authority for maintenance of the system:

Executive Order 9079 (1942) authorizes the care and treatment of these individuals.

Purpose(s):

The records are used to facilitate patient care, to monitor progress, and to ensure quality and continuity of care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The Department may disclose information from this system of records to the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components; is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

2. Dislosure may be made to National Institute of Mental Health (NIMH) contractors, and subcontractors, including nursing home staff, for the purpose of carrying out and maintaining quality care. Contractors maintain, and are also required to ensure that the subcontractors maintain, Privacy Act safeguards with respect to the records.

3. Disclosure may also be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual or his legally authorized representative.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Hard copy files stored in locked file cabinets in the State office. In the nursing homes records are hard copy maintained at nursing stations.

Retrievability:

The records are retrieved by patient name.

Safeguards:

1. Authorized Users: Only the System Manager and designated staff, designated contractor staff and appropriate subcontractor staff at the nursing home.

2. Physical Safeguards: The State records are stored in locked file cabinets. These cabinets are in a room within a building that is locked at night after business hours. Patient records of subject individuals at the nursing homes are commingled with the records of other patients at nursing stations under the supervision of the attendant on duty.

3. Procedural Safeguards: Only the System Manager, contractor staff and appropriate nursing home staff have access to the files. Only those authorized personnel are allowed to gain access to material in the locked file cabinets.

4. Implementation Procedures: DHHS Chapter 45-13 and supplementary Chapter PHS.hf 45-13 in the General Administration Manual.

Retention and disposal:

The administrative and medical records will be retained for 25 years after last treatment or after the death of a patient, and then destroyed.

System manager(s) and address:

Project Officer for Kentucky Contract, State Planning and Human Resources Development Branch, Division of Education and Service Systems Liaison, National Institute of Mental Health, Room 11C-16, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. An individual or his legally authorized representative may learn if a record exists about himself upon written request with notarized signature. The request should include full name or any alias used and birth date.

An individual or his legally authorized representative who requests notification of, or access to, a medical record shall, at the time the request is made, designate a family physician or other health professional (other than a family member) to whom the record will be released. The representative must verify relationship to the individual as well as his/her own identify.

Record access procedures:

Same as Notification Procedures. Requestors should also reasonably specify the record contents being sought. An individual or his legally authorized representative may also request an accounting of disclosures that have been made of the subject individual's records, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information to be contested, and state the corrective action sought with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Patients; legally authorized representatives, nursing home and hospital personnel.

Systems exempted from certain provisions of the act:

None.

09-30-0048

System name:

Intramural Research Program Records of In- and Out-Patients With Varies Types of Alcohol Abuse and Dependence, Relatives of Patients With Alcoholism, and Healthy Volunteers, HHS/ADAMHA/NIAAA.

Security classification:

None.

System location:

National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892. A list of specific project sites is available from the System Manager.

Categories of individuals covered by the system:

In- and out-patients with alcohol abuse and dependence, alcohol-induced organic brain syndromes; their relatives; and healthy volunteers.

Categories of records in the system:

Research data of wide variety including biochemical measures, psychophysiological and psychological tests, questionnaires, clinical and behavioral observations and interviews, physical examinations, and correspondence.

Authority for maintenance of the system:

Public Health Service Act, as amended, Sections 301 (42 U.S.C. 241) and 510 (42 U.S.C. 290bb). These sections authorize the conduct of general health research and research into alcoholism and alcohol abuse.

Purpose(s):

These records are used for diagnosis and treatment of patients with alcohol abuse and dependence and related conditions; behavioral research relating to the causes, diagnoses, and treatment of addictions; and basic research on behavioral and biological processes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system are covered by Section 527 of the Public Health Service Act (42 U.S.C. 290ee-3) and 42 CFR, Chapter I, Subchapter A, Part 2, on confidentiality of alcohol and drug abuse patient records. In accordance with these regulations, the records are confidential and may only be disclosed with the written consent of the patient with specific restrictions, and without the patient's consent in the following instances: (1) To medical personnel to the extent necessary to meet a bona fide emergency; (2) to qualified personnel for the purpose of conducting scientific research; or (3) if authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause therefore, after certain considerations, and with appropriate safeguards. Routine uses of information in this system are limited to the following:

1. A record may be disclosed for a research purpose, when the Department: (a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was pro-

vided, collected, or obtained; (b) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (c) has required the recipient to--(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except--(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; (d) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office at the written request of that individual, in accordance with 42 CFR, Chapter I, Subchapter A, Part 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records may be stored in file folders, on index cards, computer tapes and disks, microfiche, microfilm and audio and video tapes. Normally the factual data, with study code numbers, are stored on computer tape or disk, while the key to personal identifiers is stored separately, without factual data, in paper files.

Retrievability:

During data collection stages and followup, retrieval by personal identifier (e.g., name or medical record number) is necessary. During the data analysis stage, data are normally retrieved by variables of interest, e.g., age, diagnosis, etc.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained in each project. Depending on the sensitivity of the project, additional safeguards may be added.

1. Authorized Users: Only NIAAA medical and research staff have access to these records, as authorized by the system manager.

2. Physical Safeguards: Records are stored in locked rooms, locked file cabinets, and/or secured computer facilities. Personal identifiers and link codes are separated as much as possible and stored in locked files.

3. Procedural Safeguards: Collection and maintenance of data are consistent with legislation and regulations for protection of human subjects, informed consent, confidentiality, and confidentiality specific to drug and alcohol abuse patients. Computer data access is limited through the use of key words, a series of account numbers, and passwords which are changed frequently and known only to authorized personnel.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, 'ADP System Security' in the HHS Information Resource Management Manual.

Retention and disposal:

Records are held for 5 years after completion of the project, retired to a Federal Records Center, and subsequently disposed of after 10 years.

System manager(s) and address:

Clinical Director
Laboratory of Clinical Studies
Division of Intramural Clinical and Biological Research
National Institute on Alcohol Abuse and Alcoholism
Building 10, Room 3B-19
9000 Rockville Pike
Bethesda, Maryland 20892

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. Provide notarized signature as proof of identity. The request should include as much of the following information as possible: (a) Full name; (b) nature of illness (if any); (c) title of study; (d) name of researcher conducting study. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of child's/incompetent person's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designee will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures of their records, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information gathered from individuals under study, either patient or normal subject, contract surveys, hospital records, medical and nursing staff notes, and from Privacy Act system of records 90-25-0099, 'Clinical Research: Patient Medical Records, HHS/NIH/CC.'

Systems exempted from certain provisions of the act:

None.

09-30-0049

System name:

Consultant Records Maintained By ADAMHA Contractors, HHS/ADAMHA/OA.

Security classification:

None.

System location:

Records are located at various contractor sites. A list of specific contractor sites is available from the appropriate System Manager.

Categories of individuals covered by the system:

Consultants who participate in Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) conferences, meetings, evaluation projects, or technical assistance at site locations arranged by contractors.

Categories of records in the system:

Names, addresses, Social Security numbers, qualifications, curricula vitae, travel records, and payment records for consultants.

Authority for maintenance of the system:

Public Health Service Act, as amended, Section 501, (42 U.S.C. 290aa). This section covers program authorities for ADAMHA and its three Institutes.

Purpose(s):

This umbrella system of records covers a varying number of separate sets of records used in different projects. These records are established by contractors to organize programs, obtain and pay consultants, and to provide necessary reports related to payment to the Internal Review Service for these programs for ADAMHA. ADAMHA personnel may use records when a technical assistance consultant is needed for a specialized area of research, review, advice, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. ADAMHA proposes to contract with private firms for the purposes of handling logistics for conferences, reviews, development of training materials, and of obtaining the services of consultants. Relevant records will be disclosed to such a contractor or may be developed by the contractor for use in the project. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. Information in this system of records is used routinely to prepare W-2 and 1099 Forms to submit to the Internal Revenue Service and applicable State and local governments those items to be included as income to an individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records may be stored in file folders, on index cards, computer tapes and disks, microfiche, microfilm.

Retrievability:

Information will be retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Only ADAMHA personnel working on these projects and personnel employed by ADAMHA contractors to work on these projects are authorized users as designated by the system managers.

2. Physical Safeguards: Records are stored in locked rooms, locked file cabinets, and/or secured computer facilities.

3. Procedural Safeguards: Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts and in agreements with grantees or collaborators participating in research activities supported by this system. HHS project directors, contract officers, and project officers oversee compliance with these requirements.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6, "ADP System Security" in the HHS Information Resource Management Manual.

Retention and disposal:

Records will be destroyed 3 years after they are no longer used, or, if payment is involved, 3 years after closeout of the contract.

System manager(s) and address:

The policy coordinating official for this system of records is also the System Manager for NIDA.

Contract Officer, National Institute on Drug Abuse, RM 10-49
Parklawn, 5600 Fishers Lane, Rockville, Maryland 20857
Contract Officer, National Institute of Mental Health, RM 15-81
Parklawn, 5600 Fishers Lane, Rockville, Maryland 20857
Contract Officer, National Institute on Alcohol Abuse and
Alcoholism, RM 14C-06 Parklawn, 5600 Fishers Lane,
Rockville, Maryland 20857

Notification procedure:

To determine if a record exists, write to the appropriate System Manager at the address above. Provide notarized signature as proof of identity. The request should include as much of the following information as possible: (a) Full name; (b) title of project individual participated in; (c) ADAMHA project officer; and (d) approximate date(s) of participation.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures of their records, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information gathered from individual consultants and from assignment or travel documents.

Systems exempted from certain provisions of the act:

None.

09-30-0050

System name:

Clinical Research: Patient Medical Records, HHS/ADAMHA/NIMH.

Security classification:

None.

System location:

Saints Elizabeths Hospital, Building No. 93, William A. White Building, Room 144, 2700 Martin Luther King, Jr. Avenue, SE, Washington, DC 20032, and at private organizations under contract. A list of specific sites is available from the System Manager.

Categories of individuals covered by the system:

Registered clinical research patients and some individuals not registered as patients but seen for diagnostic tests.

Categories of records in the system:

Inpatient and outpatient medical/clinical records.

Authority for maintenance of the system:

The Public Health Service Act, Section 301 (42 U.S.C. 241), "Research and Investigation," and Section 321 (42 U.S.C. 248), "Hospital".

Purposes:

(1) To provide a continuous history of the treatment afforded individual patients in the National Insitute of Mental Health Clinical Research Program at the William A. White Building.

(2) To provide a data base for the clinical research conducted at the William A. White Research program.

Routine uses of records maintained in the system, including categories of users and the purposes of such use:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. Social work staff may give pertinent information to community agencies to assist patients or their families.

3. Referring physicians receive medical information for continuing patient care after discharge.

4. Information regarding diagnostic problems, or having unusual scientific value may be disclosed to appropriate medical research organizations or consultants in connection with treatment of patient or in order to accomplish the research purposes of this system. For example, tissue specimens may be sent to the Armed Forces Institute of Pathology; x-rays may be sent for the opinion of a radiologist with extensive experience in a particular kind of diagnostic radiology. The recipients are required to maintain Privacy Act safeguards with respect to these records.

5. Records may be disclosed to representatives of the Joint Commission on Accreditation of Hospitals conducting inspections to ensure that the quality of the William A. White Clinical Research Program medical recordkeeping meets established standards.

6. Certain infectious diseases are reported to government jurisdictions as required by law.

7. Medical information may be disclosed to tumor registries for maintenance of health statistics.

8. The Department contemplates that it may contract with a private firm for transcribing, updating, copying, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to comply with the requirements of the Privacy Act with respect to such records.

9. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system:

Storage:

best copy available

Records are stored in file folders and/or on microfiche, and on computer tapes. Files are stored in locked file cabinets or locked rooms.

Retrievability:

The records are retrieved by unit number and patient name.

Safeguards:

1. Authorized Users: Employees maintaining records in this system are instructed to grant regular access only to physicians and dentists and other health care professionals officially participating in patient care and to contractors or to NIMH researchers specifically authorized by the system manager.
2. Physical Safeguards: All record facilities are locked when system personnel are not present.
3. Procedural Safeguards: Access to files is strictly controlled by the system manager. Records may be removed only by system personnel following receipt of a request signed by authorized user. Access to computerized records is controlled by the use of security codes known only to the authorized user. Codes are user-and function-specific. Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records in this system are instructed to make no disclosure of the records except as authorized by the system manager.
4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf:45-13 of the General Administration Manual, and Part 6 "ADP System Security" in the HHS Information Resource Management Manual.

Retention and disposal:

Records are retained for 5 years after last discharge or upon death of a patient and then transferred to the Washington National Records Center, where they are retained until 30 years after discharge or death.

System manager(s) and address:

Clinical Director, William A. White Research Program, Division of Intramural Research Programs, National Institute of Mental Health, Saint Elizabeths Hospital, Room 565, William A. White Building, 2700 Martin Luther King, Jr., Avenue, SE, Washington, DC 20032.

Notification procedures:

To determine if a record exists, write to the System Manager at the address above. An individual or a legally authorized representative may learn if a record exists about that individual upon written request with notarized signature. The request should include: (a) Full name or any alias used, (b) social security number, and (c) approximate time of participation in the hospital/project.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a family physician or health professional (other than a family member) to whom the record will be released. The representative must verify relationship to the individual as well as his/her own identity.I20A parent or guardian who requests notification of, or access to, a child's/incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures of their records, if any.

Contesting record procedures:

Contact the System Manager at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought and the reasons for correcting the information, along with supporting justification to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Systems exempted from certain provisions of the Act:

None.

National Institutes of Health

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09-25-0001

System name:

Clinical Research: Patient Records, HHS/NIH/NHLBI.

Security classification:

None.

System location:

Building 10, National Institutes of Health, 9000 Rockville Pike, Bethesda, MD 20205.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients of the National Heart, Lung, and Blood Institute (NHLBI) under study at the National Institutes of Health (NIH).

Categories of records in the system:

Medical histories, diagnostic studies, laboratory data, treatment.

Authority for maintenance of the system:

"Research and Investigation," "National Heart, Lung, and Blood Institute," and "Research and Training in Diseases of the Heart, Blood Vessels, Lung, and Blood and in the Management of Blood Resources," of the Public Health Service Act (42 U.S.C 241, 287, 287a).

Purpose(s):

1. For use by physicians in evaluation and treatment of patients under study at NIH.

2. To furnish patient data to patients, their families, and with patients' consent, to their private physicians.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

Certain infectious diseases may be reported to state government as required by law.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, card index, laboratory books, computer memory.

Retrievability:

Indexed by name or patient number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to authorized physicians and their assistants.

Physical Safeguards: Records are kept in secure locked metal or wood file cabinets and, in some instances, in locked offices.

Procedural Safeguards: Access to files is strictly controlled by files staff. Access to computerized records is controlled by keyword codes available only to authorized users.

These safeguards are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research.

System manager(s) and address:

Administrative Officer, Division of Intramural Research, NHLBI, Building 10, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

Notification procedure:

To determine if a record exists, contact: Privacy Act Coordinator, NHLBI, Building 31, Room 5A29, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record, if any.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Referring physicians, hospitals and medical centers, patients and families, results of procedures and tests of NIH patients.

Systems exempted from certain provisions of the act:

None.

09-25-0002

System name:

Clinical Research: Patient Phonocardiogram Records, HHS/NIH/NHLBI.

Security classification: None.

System location:

Building 10, Room 6N258, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Heart surgery patients in the NIH Clinical Center with prosthetic valve dysfunction.

Categories of records in the system:

Medical records.

Authority for maintenance of the system:

"Research and Investigation" of the Public Health Service Act (42 U.S.C. 241).

Purpose(s):

For research to develop non-invasive diagnostic techniques for detecting prosthetic valve dysfunction.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that agency to present an effective defense: Provided, That such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tapes, in log books, and in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

(1) Authorized users: Records are available only to physicians and to authorized medical records personnel.

(2) Physical Safeguards: Phonocardiograms are kept in the patient medical records file.

(3) Procedural safeguards: Access to files is strictly controlled by files staff or other designated officials.

These safeguards are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP System Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research.

System manager(s) and address:

Senior Surgeon, Surgery Branch, NHLBI, Building 10, Room 6N256, 9000 Rockville Pike, Bethesda, MD 20205

Notification procedure:

To determine if a record exists, contact: Privacy Act Coordinator, NHLBI, Building 31, Room 5A50, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Attending physicians and collaborating researchers and patients.

Systems exempted from certain provisions of the act:

None.

09-25-0003

System name:

Administration: Authorized Radionuclide Users File, HHS/NIH/ORS.

Security classification:

None.

System location:

National Institutes of Health, Building 21, Room 106, 9000 Rockville Pike, Bethesda, MD 20892

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Research Investigators within NIH and outside holding NIH-NRC Board License for radioactive material.

Categories of records in the system:

Radioactive material users.

Authority for maintenance of the system:

42 U.S.C. 241.

Purpose(s):

To provide adequate administrative controls to assure compliance with NIH Radition Safety policy.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Training and experience information transferred to place of new employment.

2. Personnel exposure data transferred to place of new employment.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the the request of that individual.

4. Disclosure may be made from this system of records by the Department of Health and Human Services (HHS) to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective represention of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file cabinet.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to staff Health Physicists, staff Physical Science Technicians, and adminstrative personnel of the branch.

2. Physical Safeguards: Records are generally stored in locked file cabinets or in cabinets that are in rooms that can be locked during off-duty hours.

3. Procedural Safeguards: Access to files is strictly limited to Radiation Safety Branch personnel staff. Records may be removed from files only at the request of authorized personnel. For computerized records, access is controlled by the use of security codes known only to authorized users.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, items 1300-B-13 through 16. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Data and Analytical Services Section, Radiation Safety Branch, ORS, Building 21, Room 106, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Individual, previous employers and educational institutions.

Systems exempted from certain provisions of the act:

None.

09-25-0005

System name:

Administration: Library Circulation and User I.D. File, HHS/NIH/OD.

Security classification:

None.

System location:

Building 10, Room 1L25B, 9000 Rockville Pike, Bethesda, MD 20892, and Building 12A, Room 3018, 9000 Rockville Pike, Bethesda, MD 20892, and Building 38, Room 1S33, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

NIH employees.

Categories of records in the system:

Library records.

Authority for maintenance of the system:

Public Health Service Act: 42 U.S.C. 241.

Purpose(s):

Library material, services and circulation control.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records of Library users may be disclosed to NIH contractors and staff in order to accomplish library material, services and circulation control. Recipients are required to maintain Privacy Act safeguards with respect to those records.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on computer tape and disc, and on file cards.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to Library staff members who need to verify that Library identification cards have been issued to those Library users requesting services such as MEDLINE and other computer online bibliographic searches, translations and interlibrary loans. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

Physical Safeguards: The office housing the cabinets and file drawers for storage of records are locked during all library off-duty hours. During all duty hours offices are attended by employees who maintain the files.

Procedural Safeguards: Access to the file is strictly controlled by employees who maintain the files. Records may be removed from files only at the request of the system manager or other authorized employees. Access to computerized records is controlled by the use of security codes known only to authorized users.

Retention and disposal:

Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Reference and Bibliographic Services Section, Library Branch, Division of Research Services, Building 10, Room 1L21, NIH, 9000 Rockville Pike, Bethesda, MD 20892, and Librarian, Division of Computer Research and Technology, Building 12A, Room 3018, NIH, 9000 Rockville Pike, Bethesda, MD 20892, and Chief, Public Services Division, Library Operations, National Library of Medicine, Building 38, Room 1S33, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record, if any.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual, NIH Library ID card data.

Systems exempted from certain provisions of the act:

None.

09-25-0007

System name:

Administration: NIH Safety Glasses Issuance Program, HHS/NIH/ORS.

Security classification:

None.

System location:

Building 13, Room G901, NIH, 9000 Rockville Pike, Bethesda, MD 20892

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

NIH employees who apply for safety glasses.

Categories of records in the system:

Explanation of eye impact and hazard occupation.

Authority for maintenance of the system:

5 U.S.C. 7902.

Purpose(s):

Records are used for proper distribution of safety glasses and for proof of delivery.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

(1) Authorized users: Access is limited to personnel involved in safety glasses issuance program, to supervisors of employees who have requested glasses and to personnel involved in accounting.

(2) Physical safeguards: Record storage locations are locked when unattended.

(3) Procedural safeguards: Access to file rooms and files is controlled by System Manager or designee.

Retention and disposal:

Years at NIH: Retained until employee terminates hazardous occupation.

System manager(s) and address:

Nurse, Building 13 Health Unit, Building 13, G901, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting information to how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Previous employer and education institutions.

Systems exempted from certain provisions of the act:

None.

09-25-0008

System name:

Administration: Radiation Workers Monitoring, HHS/NIH/ORS.

Security classification:

None.

System location:

National Institutes of Health, Building 21, Room 134, 9000 Rockville Pike, Bethesda, MD 20892, and National Institutes of Health, Building 12, Computer Center, Bethesda, MD 20892.

Categories of individuals covered by the system:

NIH workers using radioactive materials or radiation producing equipment.

Categories of records in the system:

Radiation exposure incident reports, film badge exposure reports, urine and whole body counting reports.

Authority for maintenance of the system:

5 U.S.C. 7902.

Purpose(s):

(1) To assure legal compliance with requirement of Nuclear Regulatory Commission to maintain internal and external radiation exposure data and any radiation incident follow-up reports. (2) To monitor personnel exposures in order that they be maintained at the lowest levels reasonably achievable.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Radiation exposure history may be transferred to new employer or to Nuclear Regulatory Commission on their requests.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in card file and computer tapes.

Retrievability:

Records are retrieved by name and group number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized users: Access to information stored is limited to the system manager and Radiation Branch (RSB) staff.

2. Physical safeguards: Information is filed in cabinets in Building 21 or in computer disc files or magnetic drum mass storage. Building 21 is locked during non-working hours. In addition there is a security fence with locked gate surrounding Building 21. File cabinets are in rooms with RSB employees who monitor access to the information therein.

3. Procedural safeguards: Access to computer files is limited only to personnel who know the initial set assigned by the Division of Computer Research and Technology (DCRT), file names, storage locations, and keywords protecting these files. Access to file cabinets is controlled by office personnel who personally recognize RSB staff members.

Retention and disposal:

Years at NIH: indefinite.

System manager(s) and address:

National Institutes of Health, Chief, Data and Analytical Services Section, Radiation Safety Branch, DS, Building 21, Room 106, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting information to how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Previous employer and education institutions.

Systems exempted from certain provisions of the act:

None.

09-25-0010

System name:

Research Resources: Registry of Individuals Potentially Exposed to Microbial Agents, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Executive Plaza North, Room 540, 6130 Executive Blvd., Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Individuals potentially exposed to biohazardous microbial agents.

Categories of records in the system:

Microbial agents registry.

Authority for maintenance of the system:

42 U.S.C. 241.

Purpose(s):

(1) To serve as a base for health and safety for individuals and organizations involved in use of potentially hazardous agents. (2) To identify potential hazards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on magnetic tape, and 3380 disks.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees authorized to use the records include professional staff in the Biological Carcinogenesis Branch who have been informed of the need for maintaining confidentiality of the records.

2. Physical Safeguards: Office records are kept in closed cabinets in offices which are locked during off-duty hours.

3. Procedure Safeguards: Access to the file is strictly controlled by the system manager and his designee, and records may be removed from files only at the request of the system manager or other authorized employee. Access to computerized records is controlled by the use of security codes known only to the authorized users.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, "ADP Systems Security", of the HHS ADP Systems Manual.

Retention and disposal:

Indefinite.

System manager(s) and address:

National Cancer Institute, Division of Cancer Etiology, Biological Carcinogenesis Program Coordinator, Research Resources Biological Carcinogenesis Branch, Executive Plaza North, Room 540, 6130 Executive Blvd., Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information is obtained from individuals and/or organizations providing specimens.

Systems exempted from certain provisions of the act:

None.

09-25-0011

System name:

Clincial Research: Blood Donor Records, HHS/NIH/CC.

Security classification:

None.

System location:

National Institutes of Health Building 10A, Room 5D36, 9000 Rockville Pike, Bethesda, MD 20892.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Categories of individuals covered by the system:

Donors of blood and blood components to be used in the NIH Clinical Center for patient infusions.

Categories of records in the system:

Past donations, blood types, phenotype. Laboratory results of hepatitis testing, serologic reactions on all blood samples, donations of blood or blood components.

Authority for maintenance of the system:

"Preparation of Biological Products" of the Public Health Service Act (42 U.S.C. 263).

Purpose(s):

(1) To provide a means for contacting blood donors for patient care and research. (2) To provide a medical history of all donors for the transfusion records of each blood unit.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors and their staff in order to accomplish the purposes for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

2. Certain diseases infectious diseases may be reported to state government as required by law.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an

effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in a computer file, on donor cards, and on microfilm.

Retrievability:

Records are retrieved by a unique control number assigned to each individual donor.

Safeguards:

Access is granted only to authorized employees in the Department of Transfusion Medicine including physicians, nurses, technologies, computer operators, and the departments's administrative officer.

1. Authorized Users: Access is granted only to authorized employees of the Department of Transfusion Medicine including physicians, nurses technologists, computer operators and the secretary to the Chief.

2. Physical Safeguards: Record facilities are locked when system personnel are not present.

3. Procedural Safeguards: Access to manual files is limited to authorized users. Access to computerized records is controlled by the use of security codes known only to the authorized users.

These practices are in compliance with the standards of chapter 45-13, of the HHS General Administration Manual, Supplementary chapter PHS hf: 45-13, and Part 6, "ADP System Security" of the HHS Information Resource Management Manual.

Retention and disposal:

Donor cards are retained for 18 months and then microfilmed. Microfilm is retained indefinitely in accordance with the NIH Records Control Schedule, item 3000-E-50.

Disposal method include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Department of Transfusion Medicine, National Institutes of Health, Building 10, Room 5D56, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

To obtain access to a record, contact the system manager at the address specified above. Requesters should provide the same information as is required under the notification procedures above. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Data are collected from the individual.

Systems exempted from certain provisions of the act:

None.

09-25-0012

System name:

Clinical Research: Candidate Normal Volunteer Records, HHS/NIH/CC.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 1N230, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

Normally healthy individuals who volunteer to participate in NIH studies.

Categories of records in the system:

Program application, health questionnaire and record of participation.

Authority for maintenance of the system:

42 U.S.C. 241, 263.

Purpose(s):

(1) To determine suitability for participation in the normal volunteer program, (2) to document remuneration of normal volunteers, (3) to provide a record of participation to be used (a) in writing letters of recommendation/reference for the volunteer, and (b) preparing reports on the normal volunteer program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Clinical research data are made available to approved or collaborating researchers, including HHS contractors and grantees.

2. Certain infectious diseases may be reported to state government as required by law.

3. Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

4. Disclosure may be made to a congressional office from the record of an individual in response in an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Program applications and health questionnaries are stored in file folders. Records of participation are stored on index cards.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, procedural safeguards such as the following:

1. Authorized Users: Access is granted only to the Normal Volunteer Program staff in the Office of Special Programs and to NIH physicians who have requested the recruitment of volunteers for their clinical research projects.

2. Physical Safeguards: Record facilities are locked when system personnel are not present.

3. Procedural Safeguards: Access to the files is strictly controlled by the files staff. Records may be removed from the file only at the request of the system manager or other authorized employees.

Retention and disposal:

Program applications and health questionnaires are kept for 36 months (3 years) after an individual leaves NIH. Applications which are eligible but not accepted may be kept for 1 year.

System manager(s) and address:

National Institutes of Health, Assistant Director for Special Program, CC, Building 10, Room 1C226, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

To obtain access to a record, contact: Assistant Director for Special Programs, Building 10, Room 1N226, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

and provide the information described under notification Procedures above.

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Volunteer, sponsoring contractor.

Systems exempted from certain provisions of the act:

None.

09-25-0014

System name:

Clinical Research: Student Records, HHS/NIH/CC.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 1C292, 9000 Rockville Pike, Bethesda, MD 20892.

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Potential and accepted Medical Staff and Research Fellows, medical students, and other students in NIH training programs.

Categories of records in the system:

Application form, transcripts, references, evaluations.

Authority for maintenance of the system:

42 U.S.C. 241.

Purpose(s):

(1) To identify candidates for Medical Staff and Research Fellow, clinical elective, and other training positions. (2) To maintain a permanent record of those individuals who have received clinical research training at the NIH for historical and reference uses.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information may be used to respond to congressional inquires for constituents concerning admission to the program.

2. Information may be used to respond to prospective future employers of these individuals who wish to confirm their presence at NIH.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and year.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to health care personnel of the NIH who are involved in the evaluation and selection of training candidates.

2. Physical Safeguards: Records are maintained in locked cabinets with access limited to authorized personnel (systems manager and staff).

3. Procedural Safeguards: Access to the file is strictly controlled by the files staff. Records may be removed from the file only at the request of the system manager or other authorized employees.

Retention and disposal:

Years at NIH: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the NIH Records Control Schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

National Institutes of Health, Assistant Director for Special Programs, CC, Building 10, Room 1C292, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

To obtain access to a record, contact the system manager at the above address and provide the information described under Notification Procedures above. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the system manager at the address specified above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Applicants, universities and teachers.

Systems exempted from certain provisions of the act:

None.

09-25-0015

System name:

Clinical Research: Collaborative Clinical Epilepsy Research, HHS/NIH/NINDS.

Security classification:

None.

System location:

Building 12, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients participating in clinical epilepsy research sponsored by the National Institute of Neurological Disorders and Stroke (NINDS).

Categories of records in the system:

Clinical data.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Clinical research on epilepsy, specifically neurophysiological studies of patients and new drug studies designed to improve treatment of epilepsy.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including HHS contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, and on magnetic tape and discs.

Retrievability:

Records are retrieved by identifying number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access to HHS researchers or the staff of the Epilepsy Branch. No other use is permitted without specific permission of the System Manager.

Physical Safeguards: Records are kept in a location which is locked during non-duty hours.

Procedural Safeguards: Records are used in the system location only and are returned to file cabinets at the end of each working day. Location is attended at all times during working hours. Personnel having access to system have received Privacy Act training.

Retention and disposal:

Years at NIH: 10. Years at Federal Records Center: 15.

System manager(s) and address:

Chief, Epilepsy Branch, NINDS, Federal Building, Room 114, 7550 Wisconsin Avenue, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Clinical treatment records from physicians, nurses and other sources of care.

Systems exempted from certain provisions of the act:

None.

09-25-0016

System name:

Clinical Research: Collaborative Perinatal Project, HHS/NIH/NINDS.

Security classification:

None.

System location:

Federal Building, NIH, 7550 Wisconsin Ave., Bethesda, MD 20892.

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Women in the perinatal study of NIH during their pregnancies, their children, husbands, fathers of children and other family members.

Categories of records in the system:

Medical histories and examinations.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Biomedical and behavioral research by HHS scientists to discover leads to the developmental disorders of childhood by relating events of pregnancy, labor and delivery, infancy and early childhood to subsequent development of the child.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record may be disclosed for a research purpose, when the Department:

(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(B) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(C) Has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;

(D) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

Certain infectious diseases are reported to state government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on punch cards and magnetic tape, computer printouts, and on microfilm.

Retrievability:

Records are retrieved by identifying number assigned to the mother.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access to HHS researchers and data processing support staff only upon receiving an approved written request from the System Manager which specifies the data to be received and the intended use of the data. A list of authorized users is maintained.

Physical Safeguards: Records are in an area with no other use which is locked when system is not in use.

Procedural Safeguards: Personnel having access are trained in Privacy requirements. Records of access to the system are maintained. Records are used in the system area or other designated work area.

Retention and disposal:

Years at NIH: indefinite. Some records are sent to the Federal Records Center and held for 3 years.

Purpose(s):

Chief, Developmental Neurology Branch, National Institute of Neurological Disorders and Stroke (NINDS), Federal Building, NIH, 7550 Wisconsin Avenue, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought, and the reasons for the correction, with supporting justification.

Record source categories:

Mother, child, father, biomedical examiners, hospital and clinic records, schools.

Systems exempted from certain provisions of the act:

None.

09-25-0021

System name:

Clinical Research: Guam Patient/Control Registry, HHS/NIH/NINDS.

Security classification:

None.

System location:

Building 36, Room 5D03, NIH, 9000 Rockville Pike, Bethesda, MD 20892. Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Research patients of NIH on Guam.

Categories of records in the system:

Medical and demographic data.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Biomedical research on patients by HHS scientists who study selected diseases and conditions found on the island of Guam in the Pacific.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including HHS contractors and grantees. Certain infectious diseases are reported to Territorial authorities as required by law. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on punch cards, magnetic tape, index cards, and print-out sheets.

Retrievability:

Records are retrieved by name and ID number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access only to HHS researchers or their authorized collaborators.

Physical Safeguards: Location is locked during non-working hours and records are returned to location at end of working day.

Procedural Safeguards: Persons having access to records are informed of the Privacy Act requirements and location is attended at all times during the working day.

Retention and disposal:

Records are retained and disposed of in accordance with the NIH Records Control Schedule, item 3000-G-3. A copy of the schedule may be obtained by writing to the system manager at the address below. Inactive records may be retired to a Federal Records Center.

System manager(s) and address:

Director, Intramural Research, National Institute of Neurological Disorders and Stroke (NINDS), Building 10, Room 5N14, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the reasons for the correction, and the corrective action sought.

Record source categories:

Individuals and their families.

Systems exempted from certain provisions of the act:

None.

09-25-0026

System name:

Clinical Research: Nervous System Studies, HHS/NIH/NINDS.

Security classification:

None.

System location:

Building 36, Room 5B20, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Research patients in NIH-related studies having nervous system disorders.

Categories of records in the system:

Medical and demographic data.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Clinical research by HHS scientists on patients with special diseases of the nervous system, with particular emphasis on those diseases known or thought to be caused by slow or latent viruses.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including HHS contractors and grantees.

Certain infectious diseases are reported to state government as required by law.

Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on magnetic tape, and on computer print-out sheets.

Retrievability:

Records are retrieved by name, disease and attending physician name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access only to scientists on the staff of the Central Nervous System Studies Laboratory and their assistants.

Physical Safeguards: Records are kept in a locked location.

Procedural Safeguards: Personnel having access to system are informed of Privacy Act requirements.

Retention and disposal:

Records are retained and disposed of in accordance with the NIH Records Control Schedule, item 3000-G-3. A copy of the schedule may be obtained by writing to the system manager at the address below. Inactive records may be retired to a Federal Records Center.

System manager(s) and address:

Chief, Central Nervous System Studies Lab., Building 36, Room 5B21, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

Record source categories:

Attending physicians.

Systems exempted from certain provisions of the act:

None.

09-25-0028

System name:

Clinical Research: Patient Medical Histories, HHS/NIH/NINDS and HHS/NIH/NIDCD.

Security classification:

None.

System location:

Building 10 & Building 31, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

Write to the system manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Past and present patients of the National Institute of Neurological and Communicative Disorders and Stroke (NINCDS), and individuals being referred for admission to the NIH Clinical Center.

Categories of records in the system:

Medical histories and diagnoses.

Authority for maintenance of the system:

"Research and Investigation," "Establishment of Institutes," and "Functions" of the Public Health Service Act (42 U.S.C. 241, 289a, 289c).

Purpose(s):

Clinical research on various diseases of the nervous system by HHS scientists and their authorized collaborators, with the specific aim of improving patient care and treatment by evaluating therapeutic procedures.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

Certain infectious diseases are reported to state government as required by law.

Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individuals mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that agency to present an effective defense: Provided, that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access only to HHS researchers and their authorized collaborators.

Physical Safeguards: Records are kept locked in a file cabinet when not in use and in a location which is locked during non-working hours.

Procedural Safeguards: Records are returned to the files at the close of each working day and are used only in the system location or in a designated work area.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, and supplementary chapter PHS.hf: 45-13.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research.

System manager(s) and address:

Director of Intramural Research, NINCDS, Building 36, Room 5A05, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

Notification procedure:

To determine if a record exists, contact: Head, Administrative Management Section, NINCDS, Building 31, Room 8A47, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Referring and attending physicians, hospital records.

Systems exempted from certain provisions of the act:

None.

09-25-0031

System name:

Clinical Research: Serological and Virus Data in Studies Related to the Central Nervous System, HHS/NIH/NINDS.

Security classification:

None.

System location:

Building 36, Room 5B21, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients with possible perinatal, acute or chronic diseases and normal volunteers in NIH-related studies pertaining to the central nervous system.

Categories of records in the system:

Laboratory findings for viruses.

Authority for maintenance of the system:

42 U.S.C. 241, 289h.

Purpose(s):

Clinical research by HHS scientists and their authorized collaborators and research on blood serum, specifically to discover the role of infections (particularly those caused by a virus) in diseases of the central nervous system and also to study the role of vaccines in these diseases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including HHS contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on papers and in file folders.

Retrievability:

Records are retrieved by name and number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access only to HHS scientists and their assistants and authorized collaborators.

Physical Safeguards: Records are kept in cabinets which are locked at all times that system is not in use, in a location which is also locked when system is not in use.

Procedural Safeguards: Personnel having access to system have been trained in Privacy Act requirements. Records are used in a designated work area and the system location is attended at all times during working hours.

Retention and disposal:

Years at NIH: 15. Years at Federal Records Center: 20.

System manager(s) and address:

Deputy Chief, Laboratory of Central Nervous Systems Studies, Intramural Research Program, Building 36, Room 5B21, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Hospital records, volunteers, and laboratory data.

Systems exempted from certain provisions of the act:

None.

09-25-0033

System name:

International Activities: Fellowships Awarded by Foreign Organizations, HHS/NIH/FIC.

Security classification:

None.

System location:

Building 38A, Room 615, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of any Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

U.S. citizens qualified in health-related sciences submitting applications through NIH for fellowships for study abroad.

Categories of records in the system:

Applications and associated records and reports.

Authority for maintenance of the system:

42 U.S.C. 2421.

Purpose(s):

(1) To perform scientific reviews and evaluations of applicants' suitability for referral to awarding organization in foreign countries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

After review by the operating agency review panel the applications and all supporting documents are forwarded to the foreign organizations or agencies making awards.

In addition, such application may be made available to authorized employees and agents of the Federal Government for purposes of investigations, inspections and audits, and, in appropriate cases, to the Department of Justice for prosecution under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and fellowship number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

(1) Authorized users: Employees who maintain records in this system are instructed to grant regular access only to FIC program staff. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

(2) Physical safeguards: The records are maintained in locked file cabinets, and offices are locked during off-duty hours.

(3) Procedural safeguards: Access to file rooms and files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employees.

Retention and disposal:

Years at NIH: 1.

Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, International Research Awards Branch, FIC Building 38A, Room 615, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Requests for notification of or access to records should be addressed to the System Manager, as listed above. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Applicants and persons supplying references.

Systems exempted from certain provisions of the act:

None.

09–25–0034

System name:

International Activities: Scholars-in-Residence Program, HHS/NIH/FIC.

Security classification:

None.

System location:

National Institutes of Health, Building 38A, Room 612, 9000 Rockville Pike, Bethesda, MD 20892.

Write to system manager at the address below for the address of the Federal Records Center where records may be stored.

Categories of individuals covered by the system:

Distinguished scientists and scholars invited to accept NIH scholarships.

Categories of records in the system:

Employment and education histories; references.

Authority for maintenance of the system:

42 U.S.C. 2421, "International Cooperation" of the PHS Act.

Purpose(s):

To administer and award scholarships to distinguished scientists.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information is made available to authorized employees and agents of the Federal Government for purposes of investigations, inspections and audits, and in appropriate cases, to the Department of Justice for prosecution under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to FIC program staff. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in locked file cabinets. Offices are locked during off-duty hours.

3. Procedural Safeguards: Access to files is strictly controlled by files staff. Files may be removed only at the request of the system manager or other authorized employee.

Retention and disposal:

Years at NIH: 1. At Federal Records Center: 5.

System manager(s) and address:

Fogarty International Center, National Institutes of Health, Building 16, Room 202, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Requests for notification of or access to records should be addressed to the system manager, as listed above. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Information is obtained from invitees, reference sources, and persons supplying recommendations.

Systems exempted from certain provisions of the act:

None.

09-25-0035

System name:

International Activities: Health Scientist Exchange Programs, HHS/NIH/FIC.

Security classification:

None.

System location:

National Institutes of Health, Building 38A, Room 612, 9000 Rockville Pike, Bethesda, MD 20892.

Write to system manager at the address below for the address of the Federal Records Center where records may be stored.

Categories of individuals covered by the system:

U.S. citizens applying for participation in health scientist exchange programs through NIH.

Categories of records in the system:

Applications and associated records and reports, including curricula vitae and letters of reference.

Authority for maintenance of the system:

42 U.S.C. 2421.

Purpose(s):

To maintain records necessary to administer health scientist exchange programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. To qualified experts not within the definition of Department employees as prescribed in Department Regulations for opinions as a part of the application review process.

3. Information is furnished to pertinent staff of the relevant foreign ministry for acceptance purposes.

4. Applications are made available to authorized employees and agents of the Federal Government for the purpose of inspections and audits, and, in appropriate cases, to the Department of Justice for investigation under civil and criminal laws.

5. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to FIC program staff. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in locked file cabinets. Offices are locked during off-duty hours.

3. Procedural Safeguards: Access to files is strictly controlled by files staff. Files may be removed only at the request of the system manager or other authorized employee.

Retention and disposal:

Years at NIH: 1. At Federal Records Center: 5. Destroy 6 years after close out (NIH Manual 1743, Appendix I, Section 2300-320-7).

System manager(s) and address:

National Institutes of Health, Program Specialist, Health Scientist Exchange Programs, International Coordination and Liaison, Branch, FIC, Building 38A, Room 612, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to system manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Information is obtained from applicants and individuals who supply references.

Systems exempted from certain provisions of the act:

None.

09-25-0036

System name:

Grants:IMPAC (Grant/Contract Information), HHS/NIH/DRG

Security classification:

None.

System location:

Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892;

and

Building 12, NIH Computer Center, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

Applicant and Principal Investigators; Program Directors; NRSA Trainees and Fellows; Research Career Awardees; and Public Advisory Committee Members.

Categories of records in the system:

Applications, awards, associated records and trainee appointments.

Authority for maintenance of the system:

42 U.S.C. 241c, 58 Stat. 691 c & d repealed.

Purpose(s):

(1) To support centralized grant programs of the Public Health Service. Services are provided in the areas of grant application assignment and referral, initial review, council review, award processing and grant accounting. The data base is used to provide complete, accurate, and up-to-date reports to all levels of management.

(2) To maintain communication with former fellows and trainees who have incurred a payback obligation through the National Research Service Award Program.

(3) To maintain current and historical information pertaining to the establishment of chartered public advisory committees of the National Institutes of Health and the appointment of their members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the National Technical Information Service (NTIS), Department of Commerce, for dissemination of scientific and fiscal information on funded awards (abstract of research projects and relevant administrative and financial data).

To the cognizant audit agency for auditing.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

To qualified experts not within the definition of Department employees as prescribed in Department Regulations for opinions as a part of the application review process.

To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision in the matter.

A record may be disclosed for a research purpose, when the Department:

(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(B) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(C) Has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;

(D) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

The Department contemplates that it may contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to maintain Privacy Act safeguards with respect to such records.

To the grantee institution in connection with performance or administration under the conditions of the award.

The Department of Health and Human Services(HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on discs and magnetic tapes.

Retrievability:

Records are retrieved by name, application, grant or contract ID number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to PHS extramural staff. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

Physical Safeguards:

Physical access to DRG work areas is restricted to DRG employees.

Procedural Safeguards:

Access to source data files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employee. Access to computer files is controlled by the use of registered accounts, registered initials, keywords, etc. The computer system maintains an audit record of all attempted and successful requests for access.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 4000-A-2, which allows IMPAC records to be kept as long as there is an administrative need for the information.

System manager(s) and address:

Chief, Statistics and Analysis Branch, Division of Research Grants, Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to: Privacy Act Coordinator, Division of Research Grants, Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individual, individual's educational institution and references.

Systems exempted from certain provisions of the act:

None.

09-25-0037

System name:

Clinical Research: The Baltimore Longitudinal Study of Aging, HHS/NIH/NIA.

Security classification:

None

System location:

National Institutes of Health, Building 12, 9000 Rockville Pike, Bethesda, MD 20892;

and

Chief, Longitudinal Studies Branch, IRP, NIA, Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Voluntary participants in the Gerontology Research Center (GRC) Longitudinal Study of Aging.

Categories of records in the system:

Medical histories, psychological and physical test results.

Authority for maintenance of the system:

42 USC 241, 289k-2, k-4. Health Research Extension Act of 1985 PL 99-158.

Purpose(s):

Epidemiological research on the human aging process.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.
2. Certain infectious diseases are reported to state governments as required by law.
3. Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.
4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and on computer files, and on microfiche.

Retrievability:

Records are retrieved by ID number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to the clinical, research and support staff of the GRC. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.
2. Physical Safeguards: Hard copy files are kept in locked file cabinets.
3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be removed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Longitudinal Studies Branch, IRP National Institutes of Health Gerontology Research Center, GRC 4940 Eastern Avenue, Baltimore, MD 21224

Notification procedure:

Write to System Manager to determine if a record exists. The requestor must also verify his or her identity by providing either a notarization of the request or a written certification that the requestor is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Individuals seeking notification of or access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual, who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individuals, research staff, test results.

Systems exempted from certain provisions of the act:

None.

09-25-0039

System name:

Clinical Research: Diabetes Mellitus Research Study of Southwestern American Indians, HHS/NIH/NIDDK.

Security classification:

None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205 and
Chief, Phoenix Clinical Research Section
Phoenix Area Indian Hospital, Room 541
Phoenix, Arizona 85016

Write to system manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Southwestern American Indians and Caucasian spouses of some who were participants in the NIH Diabetes Mellitus Research Study.

Categories of records in the system:

Name, address, demographic data, patient history and control numbers.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

(1) To gain information on high prevalence of diabetes, arthritis, gall bladder and related diseases among Southwestern American Indians;

(2) For statistical analysis to investigate frequency and distribution of the above disorders;

(3) Data is shared with the Indian Health Service which has primary care responsibility for American Indians.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the provisions of Privacy Act with respect to these records.

Certain infectious diseases are reported to state governments as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tapes.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to scientists and statistical staff of the Epidemiology Branch, National Institute of Arthritis, Diabetes, and Digestive and Kidney Diseases (NIADDK). Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

Physical Safeguards: Input data for computer files is coded immediately after collection to avoid individual identification. Records are kept in a limited access area equipped with a monitored burglar alarm system.

Procedural Safeguards: Access is strictly controlled through security codes known only to authorized users. Access codes are changed following departure of any authorized user.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Phoenix Clinical Research Section
Phoenix Area Indian Hospital, Room 541
Phoenix, Arizona 85016

Notification procedure:

To determine if a record exists write to:

Administrative Officer
Building 31, Room 9A-46, NIH
9000 Rockville Pike
Bethesda, MD 20205

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Patients.

Systems exempted from certain provisions of the act:

None.

09-25-0040

System name:

Clinical Research: Southwestern American Indian Patient Data, HHS/HIH/NIDDK.

Security classification:

None.

System location:

Phoenix Area Indian Hospital, Room 541 Phoenix, Arizona 85016.

Write to system manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients of the National Institute of Diabetes, and Digestive and Kidney Diseases (NIDDK) being treated at the Phoenix Area Indian Hospital.

Categories of records in the system:

Medical history, treatment schedules, diagnostic records.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

(1) Used by clinicians and support staff of the Phoenix Clinical Research Section for treatment of NIADDK patients, and for research related to such treatment. (2) Records are forwarded to the Indian Health Service which maintains records after patient discharge in case follow-up or later treatment is necessary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Certain infectious diseases are reported to state governments as required by law.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and patient number.

Safeguards:

Records are maintained in secured areas and containers, with personnel screening to prevent unauthorized access. Charge-out records are maintained on records charged out from the files.

Retention and disposal:

Records are retained and destroyed according to the same standards that apply to other medical records of the Indian Health Service.

System manager(s) and address:

Chief, Phoenix Clinical Research Section, Phoenix Area Indian Hospital, Room 541, 4212 North 16th Street, Phoenix, Arizona 85016.

Notification procedure:

To determine if a record exists write to: National Institutes of Health, Administrative Officer, NIDDK, Building 31, Room 9A46, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access, to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Clinicians of the Phoenix Clinical Research Section.

Systems exempted from certain provisions of the act:

None.

09-25-0041

System name:

Research Resources: Scientists Requesting Hormone Distribution, HHS/NIH/NIADDK.

Security classification:

None.

System location:

Westwood Building, Room 626, NIH
5333 Westbard Avenue
Bethesda, MD 20205

Categories of individuals covered by the system:

Scientists requesting hormones from the National Institute of Arthritis, Diabetes, and Digestive and Kidney Diseases (NIADDK).

Categories of records in the system:

Justification for request for hormones, including requester's competence.

Authority for maintenance of the system:

42 U.S.C. 241, 263, 289a, 289c.

Purpose(s):

(1) For review of applications requesting hormones and antibodies for research purposes, prior to awarding these substances.

(2) To determine if the requester is qualified to receive these materials.

(3) To determine if requests for human hormones for clinical research follow acceptable protocols. In this connection, records may be disclosed to the Food and Drug Administration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Contractors for distribution of various hormones to requestors.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to staff working for the contractor who need the records for hormone distribution, to NIH staff who supervise the Hormone Distribution Program, and, as approved by the system manager, to scientists and physicians who may have need of the information for research.

Physical Safeguards: Records are kept in cabinets in offices which are locked during off-duty hours and which have alarms.

Procedural Safeguards: Access to files is strictly controlled by files staff. Files may be obtained only at the request of the system manager or other authorized employee.

Retention and disposal:

Years at NIH: 3.

System manager(s) and address:

Hormone Distribution Officer
Westwood Building, Room 626, NIH
5333 Westbard Avenue
Bethesda, MD 20205

Notification procedure:

To determine if a record exists write to:

Administrative Officer, NIADDK
Building 31, Room 9A-46, NIH
9000 Rockville Pike
Bethesda, MD 20205

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Data is obtained from the individual.

Systems exempted from certain provisions of the act:

None.

09-25-0042

System name:

Clinical Research: National Institute of Dental Research Patient Records, HHS/NIH/NIDR.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 6S237, 9000 Rockville Pike, Bethesda, MD 20892.

Write to system manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients and other participants in current and past research projects of the National Institute of Dental Research (NIDR).

Categories of records in the system:

Medical and dental histories, dental pathologies and therapies.

Authority for maintenance of the system:

42 U.S.C. 241, 285h.

Purpose(s):

(1) To record the diagnosis and treatment of patients with diseases of the mouth, tongue, teeth and surrounding tissues; (2) To record the normal condition of the mouth, tongue, teeth and surrounding tissues of individuals referred to the dental clinic; (3) To provide clinical data for research into the etiology, treatment and prevention of oral diseases; (4) For review and planning of the NIDR clinical program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the clinical and research purposes for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Certain infectious diseases are reported to state governments as required by law.

3. Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, when a claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and hospital ID number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to dentists, physicians, dental hygienists, dental assistants and other health care personnel involved in the care and treatment of patients in the NIDR dental clinic, and to referring professionals. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are stored in a cabinet which is locked at all times when not in use.

3. Procedural Safeguards: Access is controlled by clerical staff of the Dental Clinic during clinic hours, and by the Officer of the Day when the clinic is closed.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule, Manual Chapter 1743 (HHS Records Management Manual, Appendix B-361), Manual Chapter 1743, item 3000-G-3, which allows records to be kept as long as they are useful in scientific research. Records will be destroyed by shredding or burning.

System manager(s) and address:

National Institutes of Health, Chief, Clinical Investigations and Patient Care Branch, NIDR, Building 10, Room 6S237A, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists contact: NIDR Privacy Act Coordinator, Building 31, Room 2C-35, 9000 Rockville Pike, Bethesda, MD 20892

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individual, parents or guardians.

Systems exempted from certain provisions of the act:

None.

09-25-0044

System name:

Clinical research: Sensory Testing Research Program, HHS/NIH/NIDR.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 1-N-114, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Infants, children and adults participating in the Sensory Testing Research Program of the National Institute of Dental Research (NIDR).

Categories of records in the system:

Test results, extracts from medical records.

Authority for maintenance of the system:

42 U.S.C. 241, 288a.

Purpose(s):

(1) To record the medical/dental histories of individuals participating in the Sensory Testing Research Program; (2) To record the results of chemosensory tests of individuals participating in the Sensory Testing Research Program; (3) For research on sensitivity to oral nasal stimulation; (4) For review and planning of the Clinical Investigations and Patient Care Branch program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees, referring health professionals and collaborating researchers and their staff in order to accomplish the clinical and research purposes for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Certain infectious diseases are reported to state governments as required by law.

3. Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, when a claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, data books and in a minicomputer maintained by the NIDR Scientific Systems Section.

Retrievability:

Records are retrieved by name, date of observation and age of subject.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to Clinical Investigations Section staff, to scientist colleagues by invitation of the principal investigator and to referring professionals. Other one time and special access by other employees is granted on a need to know basis as specifically authorized by the System Manager.

2. Physical Safeguards: Records are stored in rooms which are locked at all times when not in use. Computer terminals are in secured areas. Access to computer file is controlled by software protection codes associated with each site.

3. Procedural Safeguards: Access is controlled by Clinical Investigation Section staff.

These safeguards are in compliance with the standards of chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research. Disposal is by shredding or burning.

System manager(s) and address:

Research Psychologist, Clinical Investigations, NIDR, Building 10, Room 1A05, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists contact: NIDR Privacy Act Coordinator, 9000 Rockville Pike, Building 31, Room 2C-35, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Subject individual, cooperating clinician or health agency, family members.

Systems exempted from certain provisions of the act:

None.

09-25-0046

System name:

Clinical Research: Catalog of Clinical Specimens from Patients, Volunteers and Laboratory Personnel, HHS/NIH/NIAID.

Security classification:

None.

System location:

Building 7, Rooms 106 and 202, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients, volunteers, laboratory personnel in the National Institute of Allergy and Infectious Diseases (NIAID).

Categories of records in the system:

Clinical specimens, attendant data and laboratory results.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

For diagnostic and epidemiologic studies of viral respiratory diseases and hepatitis, conducted by NIAID staff.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

Certain infectious diseases are reported to state governments as required by law.

Information may be used to respond to congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, when a claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in data books.

Retrievability:

Records are retrieved by name, patient or study number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to HHS scientists conducting research, and staff whose duties require the use of such information. Other one time and special access by other employees is granted on a need to know basis as specifically authorized by the System Manager.

Physical Safeguards: Data books are kept in locked rooms. Offices are locked during off-duty hours.

Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the System Manager or other authorized employee.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the System Manager at the address below.

System manager(s) and address:

Chief, Respiratory Viruses Section, LID, NIAID, Building 7, Room 106, NIH, 9000 Rockville Pike, Bethesda, MD 20892, and Chief, Hepatitis Virus Section, NIAID, Building 7, Room 202, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to Privacy Act Coordinator, NIAID, Westwood Building, Room 703, 5333 Westbard Avenue, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedure above. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information contained in these records is obtained directly from individual participants and from medical records, field study records, and clinical research observations.

Systems exempted from certain provisions of the act:

None.

09-25-0048

System name:

Clinical Research: Serology-Epidemiology Parasite Research, HHS/NIH/NIAID.

Security classification:

None.

System location:

Rocky Mountain Laboratories, NIH, Hamilton, MT 59840.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Blood or parasite donors participating in serology-epidemiology parasite research of the National Institute of Allergy and Infectious Diseases (NIAID).

Categories of records in the system:

Results of blood tests and possible case histories.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

For serologic and epidemiologic studies on parasitic and rickettsial diseases (Rocky Mountain spotted fever, in particular) conducted by NIAID staff.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

Certain infectious diseases are reported to state governments as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, when a claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to HHS scientists conducting research, and staff whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

Physical Safeguards: Offices are locked during off-duty hours.

Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employee.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule, Manual Chapter 1743 (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research. Records which are judged to have no further reference value are destroyed or burned.

System manager(s) and address:

Chief, Rocky Mountain Operations Branch, Rocky Mountain Laboratories, NIH, Hamilton, MT 59840.

Notification procedure:

To determine if a record exists write to: Privacy Act Coordinator, NIAID, Westwood Building, Room 703, Westbard Avenue, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Individuals seeking notification of or access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual, who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

Record access procedures:

Same as notification procedure above. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Personal physician of donor and state health departments.

Systems exempted from certain provisions of the act:

None.

09-25-0053

System name:

Clinical Research: Vision Studies, HHS/NIH/NEI.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 10N202, CC, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients and subjects in the National Eye Institute research studies.

Categories of records in the system:

Medical history as relevant to vision research.

Authority for maintenance of the system:

42 U.S.C. 241, 289i, 289k.

Purpose(s):

(1) To gather photographic evidence of various stages or progressions of certain visual disorders; (2) To record certain diagnostic test results (such as color vision testing) in the compilation of empirical data to support research evaluations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.
2. Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.
3. Certain infectious diseases may be reported to State Government as required by law.
4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatable with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file cabinets.

Retrievability:

Records are retrieved by name and cross referenced by anatomical entity.

Safeguards:

Employees who maintain records in this system are instructed to grant regular access only to HHS scientists conducting research and physicians treating the patient whose records are involved. Other one time and special access by other employees is granted on a need to know basis as specifically authorized by the system manager. File cabinets are in locked rooms and access to files is strictly controlled. Specifically, records may be removed from files only at the request of the System Manager or authorized employees.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

National Institutes of Health, Clinical Director, NEI, Building 10, Room 10N-202, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: Executive Officer, NEI, Building 31, Room 6A05, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under a false pretense is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Medical examinations conducted by and under the direction of the research investigators.

Systems exempted from certain provisions of the act:

None.

09-25-0054

System name:

Administration: Property Accounting, HHS/NIH/ORS.

Security classification:

None.

System location:

National Institutes of Health, Building 31, Room 2E47, 9000 Rockville Pike, Bethesda, MD 20892, and National Institutes of Health, Computer Center, Building 12, 9000 Rockville Pike, Bethesda, MD 20892, and National Institutes of Health, Building 31, Room B1C06, 9000 Rockville Pike, Bethesda, MD 20892, and National Institute of Environmental Health Sciences, Office of Facilities Engineering, 102-01, NIEHS, P.O. Box 12233, Research Triangle Park, NC 27709.

Categories of individuals covered by the system:

Employees of the National Institutes of Health who are issued tools or card keys.

Categories of records in the system:

Property management.

Authority for maintenance of the system:

5 U.S.C. 301; 5 U.S.C. 5901; 5 U.S.C. 7903; 40 U.S.C. 318a; 42 U.S.C. 241.

Purpose(s):

Used for tool and card keys issuance and control.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, and on magnetic media.

Retrievability:

Records are retrieved by name.

Safeguards:

Textual records are stored in offices which are locked when not in use. Computer files are password protected.

Retention and disposal:

Records are kept until two years after an item is released by an individual.

System manager(s) and address:

For tools: National Institutes of Health, Administrative Officer, DES, Building 31, Room 2E47, 9000 Rockville Pike, Bethesda, MD 20892.

For card keys: National Institutes of Health, Chief, Crime Prevention Section, Security Branch, DS, ORS, Building 31, Room B3B16, 9000 Rockville Pike, Bethesda, MD 20205.

National Institute of Environmental Health Sciences, Chief, Office of Facilities Engineering, 102-01, P.O. Box 12233, Research Triangle Park, NC 27709.

Notification procedure:

Write to the System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Data is obtained from the individual.

Systems exempted from certain provisions of the act:

None.

09-25-0057

System name:

Clinical Research: Burkitt's Lymphoma Registry, HHS/NIH/NCI.

Security classification:

None.

System location:

Environmental Epidemiological, DCE, NCI, Executive Plaza North, Room 434, 6130 Executive Blvd., Bethesda, MD 20205, and Frederick Cancer Research Facility, Room 434, Frederick, MD 21701.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Patients with Burkitt's Lymphoma in the registry of the National Cancer Institute.

Categories of records in the system:

Clinical abstracts, pathology reports, and other laboratory correspondence with attending physicians.

Authority for maintenance of the system:

42 U.S.C. 241, 281, 282.

Purpose(s):

Epidemiologic research on Burkitt's Lymphoma.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in a limited access area. Offices are locked during off-duty hours.

3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

American Burkitt's Lymphoma Registry, Division of Cancer Etiology, NCI, Executive Plaza North, Suite 434, 6130 Executive Blvd., Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably indentify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Hospitals, physicians.

Systems exempted from certain provisions of the act:

None.

09-25-0060

System name:

Clinical Research: Division of Cancer Treatment Clinical Investigations, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Building 10, Room 13C103, 9000 Rockville Pike, Bethesda, MD 20892, and Frederick Cancer Research Center, Building 426, Frederick, MD 21701, and National Cancer Institute, Navy Hospital, Building 8, Room 3146, Bethesda, MD 21814.

Categories of individuals covered by the system:

All patients who have been hospitalized or seen in outpatient clinics on treatment research protocols in the National Cancer Institute.

Categories of records in the system:

Medical records.

Authority for maintenance of the system:

42 USC 241, 281, 282.

Purpose(s):

(1) Patient care and treatment. (2) Clinical and epidemiological research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tapes, microcomputer disks, index cards, and manual paper records.

Retrievability:

Records are retrieved by patient name or number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute, or its contractors, whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in a limited access area. Offices are locked during off-duty hours. Input data for computer files is coded to avoid individual identification.

3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users. Access codes are changed frequently.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Biostatistics and Data Management Section, National Institutes of Health, Building 10, Room 13C103, 9000 Rockville Pike, Bethesda, MD 20892, and Chief, Clinical Research Branch, Biological Response Modifiers Program, Frederick Cancer Research Center, 335 Park Avenue, Building 567, Room 129, Frederick, MD 21701, and Navy Hospital, Deputy Branch Chief, NCI—Naval Medical Oncology Branch, Building 8, Room 5101, Bethesda, MD 20814.

Notification procedure:

Write to system manager for the appropriate location to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Hospital medical records, referring physician, referring hospitals, clinical laboratories, patient contact, and Central Tumor Registries.

Systems exempted from certain provisions of the act:

None.

09–25–0067

System name:

Clinical Research: National Cancer Incidence Surveys, HHS/NIH/NCI.

Security classification:

None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Persons diagnosed as having cancer during 1969-71 in geographical areas of the United States.

Categories of records in the system:

Medical history, insurance and hospital cost data, and death records.

Authority for maintenance of the system:

42 U.S.C. 241, 281, 182.

Purpose(s):

Comparison of trends in cancer incidence between the second and third national cancer surveys, i.e. between 1969-71 and 1947.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the Privacy Act with respect to these records.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the

Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on microfiche and on magnetic tapes.

Retrievability:

Records are retrieved by name and study number.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

Physical Safeguards: Records are kept in a limited access area. Offices are locked during off-duty hours. Input data for computer files is coded to avoid individual identification.

Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users. Access codes are changed frequently.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Demographic Analysis Section
Landow Building, Room 5B06, NIH
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure:

Write to System Manager to determine if a record exists.The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Hospital medical records.

Systems exempted from certain provisions of the act:

None.

09-25-0069

System name:

NIH Clinical Center Admissions of the National Cancer Institute, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Chief, Genetics Section, DCE, Executive Plaza North, Room 400, 6130 Executive Blvd., Bethesda, MD 20892, and National Institutes of Health, Division of Computer Research and Technology, Building 12A, 9000 Rockville Pike, Bethesda, MD 20892, and WESTAT, Inc., STSC Building, Suite 402, 2115 E. Jefferson Street, Rockville, MD 20852.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Current and former cancer patients and their family members admitted to the NIH Clinical Center or the National Cancer Institute (NCI).

Categories of records in the system:

Medical histories, reports and correspondence.

Authority for maintenance of the system:

42 U.S.C. 241, 281, 282.

Purpose(s):

National Cancer Institute physicians and supporting staff are involved in research on the cause and diagnosis of disease and the treatment of patients, requiring the maintenance of working files to chart progress, responses to treatment, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and on computer files.

Retrievability:

Records are retrieved by identification number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute and the Clinical Center whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in limited access areas. Offices are locked during off-duty hours. Input data for computer files is coded to avoid individual identification.

3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users. Access codes are changed frequently.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

National Institutes of Health, Epidemiology & Biostatistics, Clinical Epidemiology Branch, Division of Cancer Etiology, NCI, Chief, Clinical Genetics Section, Executive Plaza North, Suite 400, 6130 Executive Blvd., Bethesda, MD 20892, and Chief, Family Studies Section, Environmental Epidemiology Branch, Executive Plaza North, Suite 439, 6130 Executive Blvd., Bethesda, MD 20205.

Notification procedure:

Write to system manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Patients' personal physicians, NIH staff treating the patients or performing test, requested outside records, and patients themselves.

Systems exempted from certain provisions of the act:

None.

09-25-0074

System name:

Clinical Research: Division of Cancer Biology and Diagnosis Patient Trials, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, DCBD, NCI, Executive Plaza North, Room 330C, Bethesda, MD 20892, and at hospitals and clinics, educational and research institutions, Federal, State or local government agencies, and private facilities.

Categories of individuals covered by the system:

Cancer patients, individuals undergoing biopsies, and normal controls in clinical studies of the Division of Cancer Biology and Diagnosis (DCBD).

Categories of records in the system:

Medical & treatment history.

Authority for maintenance of the system:

42 U.S.C. 241, 281, 282.

Purpose(s):

This system is used to support research: (1) To compare cancer diagnostic tests, (2) to develop statistical methodology, (3) to trace the natural history of the cancer under study, and (4) to develop, evaluate and verify biological markers for early cancer detection and for monitoring treatment success.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with respect to these records.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in files and on computer tapes and discs.

Retrievability:

Records are retrieved by coded identification number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute and its contractors whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records are kept in limited access areas. Offices are locked during off-duty hours. Input data for computer files is coded to avoid individual identification.

3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users. Access codes are changed frequently.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, "ADP Systems Security," of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Computer Systems Analyst, National Institutes of Health, Executive Plaza North, Room 344, Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Hospitals.

Systems exempted from certain provisions of the act:

None.

09-25-0075

System name:

Administration: Principal Investigators Submitting Proposals for Protection from Research Risks, HHS/NIH/OD/OER.

Security classification:

None.

System location:

National Institutes of Health, Building 31, Room 5B59, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

Persons submitting research proposals to the National Institutes of Health involving risks to subjects or matters pertaining to the protection of the rights and welfare of human research subjects.

Categories of records in the system:

Research protocol, identification of Principal Investigator, institution.

Authority for maintenance of the system:

42 U.S.C. 241(c)(g).

Purpose(s):

Monitoring of research proposals that may involve undue risks to subjects or ethical considerations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (2) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on card file.

Retrievability:

Records are retrieved by name of Principal Investigator.

Safeguards:

(1) Authorized Users: Members of the professional staff of the Office for Protection from Research Risks (OPRR) may use information from the file in connection with follow up procedures of research proposals identified as involving potential risk to the protection of the rights and welfare of human research subjects.

(2) Physical Safeguards: Records are maintained in offices which are monitored during business hours and are locked during off-duty hours.

(3) Procedural Safeguards: Requests for information from the file are made to the Compliance Coordinator who supervises and is responsible for the file. Computer files are password protected.

Retention and disposal:

Records are kept for 6 years after the end of a research project or 6 years after final action in any case involving litigation.

System manager(s) and address:

Director, OPRR, National Institutes of Health, Building 31, Room 5B59, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Proposals submitted by individuals, but identified by employees or consultants of HHS as possibly involving undue hazards.

Systems exempted from certain provisions of the act:

None.

09-25-0077

System name:

Biological Carcinogenesis Branch Human Specimen Program, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Executive Plaza North, Rm. 540, 6130 Executive Blvd., Bethesda, MD 20892, and at private organizations under contract. Write to the system manager for a list of current locations.

Categories of individuals covered by the system:

Cancer and other patients, and normal donors of biopsy and tumor specimens, who are seen at clinically-oriented organizations under contract to the National Cancer Institute. Both adults and children are covered.

Categories of records in the system:

Medical history and diagnostic information about the donor, information on the type of specimen, location of repository (if specimen is stored before use), and distribution record.

Authority for maintenance of the system:

42 USC 241, 281, 282: "Research and Investigation," "National Cancer Institute," and "Cancer Research and Other Activities."

Purpose(s):

(1) For cancer research, using by-products of cancer treatment, such as biopsy and tumor specimens that would normally be discarded, to allow interpretation of experimental results; (2) To project future research needs; (3) To monitor and evaluate the NCI distribution system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The Department contemplates that it may contract with a private firm for storage and preservation of specimens. Records necessary for identification, retrieval and research use will be disclosed to such a contractor. The contractor will be required to comply with the requirements of the Privacy Act with respect to such records.
2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, magnetic tape, discs.

Retrievability:

Retrieved by name of donor and cross-referenced by identifying number, procurement source, and various epidemiological characteristics.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists and support staff of the National Cancer Institute, or its contractors, whose duties require the use of such information. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Records, computers and computer terminals are kept in limited access areas. Offices are locked during off-duty hours. Input data for computer files are coded to avoid individual identification.

3. Procedural Safeguards: Access to manual files is strictly controlled by files staff. Files may be accessed only at the request of the system manager or other authorized employee. Access to computer files is controlled through security codes known only to authorized users.

4. Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records in this system are instructed to make no disclosure of the records except as authorized by the system manager.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Coordinator, Research Resources, Biological Carcinogenesis Branch, Division of Cancer Etiology, NCI, National Institutes of Health, Executive Plaza North, Room 540, 6130 Executive Blvd., Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Specimen Report Form filled out by the organization providing specimens.

Systems exempted from certain provisions of the act:

None.

09-25-0078

System name:

Administration: Consultant File, HHS/NIH/NHLBI.

Security classification:

None.

System location:

National Institutes of Health, Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892.

Categories of individuals covered by the system:

List of consultants available for use in evaluation of National Heart, Lung, and Blood Institute special grants and contracts.

Categories of records in the system:

Names and resumes.

Authority for maintenance of the system:

42 U.S.C. 241(d), 281.

Purpose(s):

(1) To identify and select experts and consultants for program reviews and evaluations. (2) For use in evaluation of NHLBI special grants and contracts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer disc and file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Data on computer files is accessed by keyword known only to authorized users. Rooms where records are stored are locked when not in use. During regular business hours rooms are unlocked but are controlled by on-site personnel.

Retention and disposal:

Records are kept until the individual is no longer available for consultation.

System manager(s) and address:

National Heart, Lung, and Blood Institute, Computer Specialist, Division of Extramural Affairs, Westwood Building, Room 5A15, 5333 Westbard Avenue, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: National Institutes of Health, Privacy Act Coordinator, NHLBI, Building 31, Room 5A08, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under also pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought.

Record source categories:

Subject individual.

Systems exempted from certain provisions of the act:

None.

09-25-0087

System name:

Administration: Employees and Consultants, HHS/NIH/NIAID.

Security classification:

None.

System location:

National Institutes of Health, Building 31, Room 7A32, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Current and former key professional employees of the Institute and consultants.

Categories of records in the system:

Press releases, curriculum vitae, nominations for awards and photographs.

Authority for maintenance of the system:

42 U.S.C. 241(d) 289a.

Purpose(s):

For background records to provide public announcements on National Institute of Allergy and Infectious Diseases (NIAID) Council members, advisors and guest lecturers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders.

Retrievability:

Retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintained records in this system are instructed to grant regular access only to staff whose duties require the use of such information. Authorized users are located in the Office of the Director, NIAID. Other one time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.
2. Physical Safeguards: Records in this system are stored in file folders which are kept in locked cabinets. The room is locked during off-duty hours.
3. Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employee.

Retention and disposal:

Records are kept until no longer needed for reference.

System manager(s) and address:

Director, Office of Communications, National Institutes of Health, Building 31, Room 7A32, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to: National Instiutes of Health, Privacy Act Coordinator, NIAID, Westwood Building, Room 704, 5333 Westbard Avenue, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as record notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager at the address above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individuals and newspaper clippings.

Systems exempted from certain provisions of the act:

None.

09-25-0091

System name:

Administration: General Files on Employees, Donors and Correspondents, HHS/NIH/NEI.

Security classification:

None.

System location:

National Institutes of Health, Building 31, Room 6A03, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Donors of gifts, employees, correspondents of the National Eye Institute (NEI).

Categories of records in the system:

Budget, administrative services, correspondence.

Authority for maintenance of the system:

42 U.S.C. 289i.

Purpose(s):

(1) To identify certain donors of unconditional gifts to the National Eye Institute; (2) To record certain delegations and permit holders; (3) To maintain a mailing list of persons in the vision research community; (4) To provide service or information to specific requesters; (5) To communicate with collaborating investigators in vision research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and subject area.

Safeguards:

Employees who maintain records in this system are instructed to grant regular access only to staff with designated responsibilities directly related to the purpose for which the records are kept. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager. Records are kept in locked offices.

Retention and disposal:

Years at NIH: 1. Disposal methods include burning or shredding paper materials.

System manager(s) and address:

National Eye Institute, Executive Officer, Building 31, Room 6A05, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to:

National Eye Institute, Records Management Officer, Building 31, Room 6A17, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individuals.

Systems exempted from certain provisions of the act:

None.

09-25-0093

System name:

Administration: Authors, Reviewers and Members of the Journal of the National Cancer Institute, HHS/NIH/NCI.

Security classification:

None.

System location:

Building 82, Room 235, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records may be stored.

Categories of individuals covered by the system:

Authors and manuscript reviewers and members of the Journal of the National Cancer Institute (JNCI) editorial board.

Categories of records in the system:

Accepted, rejected and pending manuscripts and review comments.

Authority for maintenance of the system:

42 U.S.C. 241, 281.

Purpose(s):

Manuscript review by NCI staff of manuscripts submitted for possible publications or oral presentations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) Disclosure may be made to qualified experts not within the definition of Department employees for opinions as a part of the review of manuscripts.

(3) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name and manuscript number.

Safeguards:

(1) Authorized Users: Employees who maintain records in this system are instructed to grant access only to JNCI staff personnel, the Editor in Chief, and members of the Board of Editors whose duties require the use of such information.

(2) Physical Safeguards: Records are kept in a limited access area where an employee is present at all times during working hours. Office is locked during off-duty hours.

(3) Procedural Safeguards: Access to manual files is tightly controlled by office staff. Only authorized users may have access to the files.

Information that identifies reviewers is not maintained in computer files.

Retention and disposal:

Years at NIH: 1. Disposal methods including burning or shredding.

System manager(s) and address:

Managing Editor, JNCI, Building 82, Room 235, 9000 Rockville Pike, Bethesda, MD 20892

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Authors and reviewers.

Systems exempted from certain provisions of the act:

None.

09-25-0096

System name:

Contracts: National Cancer Institute Contract Management System Principal Investigators, Project Officers and Contract Specialists, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Building 12, 9000 Rockville Pike, Bethesda, MD 20852.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system may be stored.

Categories of individuals covered by the system:

Principal investigators, project officers, and contract specialists.

Categories of records in the system:

Contract projects administrative data (e.g., project titles and descriptions, contractor information, etc.), fiscal data (e.g., funding/cost data, obligations), and programmatic data (e.g., scientific classifications, scope of work).

Authority for maintenance of the system:

42 U.S.C. 241(g), 281.

Purpose(s):

(1) Provides administrative and financial information for administration and tracking of procurement activities of National Cancer Institute (NCI) contracts;

(2) Collects and maintains this information in an accurate and timely fashion for financial reporting and budgeting, as well as ad hoc queries on NCI contracting activities;

(3) Provides pre-award tracking and milestone data used to monitor and administer the total procurement process.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(3) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connec-

tion with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tapes and on-line discs.

Retrievability:

Records are retrieved by name.

Safeguards:

(1) Authorized Users: The contractor maintaining this system has been instructed not to release any information from the contract management system without prior approval of the system manager.

(2) Physical Safeguards: Computer records are kept in a limited access area. Offices are locked during off-duty hours.

(3) Procedural Safeguards: The computer center protects files physically and with access controls. Files may be used only with the approval of the system manager.

Retention and disposal:

Years at NIH: 10. Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the NIH Records Control Schedule. Disposal methods include erasing computer tapes and shredding of printed output.

System manager(s) and address:

National Cancer Institute, Manager, NCI Contract Management System, Grants Financial and Data Analysis Branch, Executive Plaza South, Room 643, 6120 Executive Boulevard, Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Negotiated Contract and Summary of Negotiations/IMPAC Code Sheet, NIH forms 1759-1 and 1759-2 generated by NIH staff.

Systems exempted from certain provisions of the act:

None.

09-25-0099

System name:

Clinical Research: Patient Medical Records, HHS/NIH/CC.

Security classification:

None.

System location:

National Institutes of Health, Patient Medical Records, Building 10, Room 1N208, 9000 Rockville Pike, Bethesda, MD 20892; and National Institutes of Health, Patient Nutrition Records, Building 10, Room B1S229, 9000 Rockville Pike, Bethesda, MD 20892.

and at private organizations under contract. Write to the system manager for a list of current locations.

Categories of individuals covered by the system:

Registered Clinical Center patients. Some individuals not registered as patients but seen in Clinical Center for diagnostic tests.

Categories of records in the system:

Medical treatment records.

Authority for maintenance of the system:

42 U.S.C. 241, 248: "Research and Investigation," and "Hospitals, Medical Examinations, and Medical Care."

Purpose(s):

(1) To provide a continuous history of the treatment afforded individual patients in the Clinical Center; (2) To provide a data base for the clinical research conducted within the hospital.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information may be used to respond to Congressional inquiries for constituents concerning their admission to NIH Clinical Center.
2. Social Work Department may give pertinent information to community agencies to assist patients or their families.
3. Referring physicians receive medical information for continuing patient care after discharge.
4. Information regarding diagnostic problems, or having unusual scientific value may be disclosed to appropriate medical or medical research organizations or consultants in connection with treatment of patients or in order to accomplish the research purpose of this system. For example, tissue specimens may be sent to the Armed Forces Institute of Pathology; X-rays may be sent for the opinion of a radiologist with extensive experience in a particular kind of diagnostic radiology. The recipients are required to maintain Privacy Act safeguards with respect to these records.
5. Records may be disclosed to representatives of the Joint Commission on Accreditation of Hospitals conducting inspections to ensure that the quality of Clinical Center medical record-keeping meets established standards.
6. Certain infectious diseases are reported to State Government as required by law.
7. Medical information may be disclosed to tumor registries for maintenance of health statistics.
8. The Department contemplates that it may contract with a private firm for transcribing, updating, copying, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to comply with the requirements of the Privacy Act with respect to such records.
9. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and/or on microfiche, and on computer tapes.

Retrievability:

Records are retrieved by unit number and patient name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees maintaining records in this system are instructed to grant regular access only to physicians and dentists and other health care professionals officially participating in patient care, to contractors, or to NIH researchers specifically authorized by the system manager.
2. Physical Safeguards: All record facilities are locked when system personnel are not present.
3. Procedural Safeguards: Access to files is strictly controlled by the system manager. Records may be removed only by system personnel following receipt of a request signed by an authorized user. Access to computerized records is controlled by the use of security codes known only to the authorized user. Codes are user- and function-specific.

Contractor compliance is assured through inclusion of Privacy Act requirements in contract clauses, and through monitoring by contract and project officers. Contractors who maintain records in this system are instructed to make no disclosure of the records except as authorized by the system manager.

These safeguards were developed in accordance with chapter 45-13, Safeguarding Records Contained in Systems of Records, of the HHS General Administration Manual, corresponding chapter PHS hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-E-22. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Medical Record Department, National Institutes of Health, Building 10, Room 1N208, 9000 Rockville Pike, Bethesda, Md. 20892.

Notification procedure:

To determine if a record exists, write to the system manager at the above address. The requester must provide tangible proof of identity, such as a driver's license. If no identification papers are available, the requester must verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. The representative may be a physician, or other health professional, or other responsible individual. The subject individual will be granted direct access unless it is determined that such access is likely to have an adverse effect on him or her. In that case, the medical/dental record will be sent to the designated representative.

The individual will be informed in writing if the record is sent to the representative.

A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the system manager and reasonably identify the record and specify the information to be contested, and state the corrective action sought and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Referring physicians, other medical facilities (with patient's consent), patients, relatives of patients.

Systems exempted from certain provisions of the act:

None.

09-25-0100

System name:

Clinical Research: Neuropharmacology Studies, HHS/NIH/NINDS.

Security classification:

None.

System location:

Building 36, Room 5A06
9000 Rockville Pike
Bethesda, MD 20205

Write to System Manager at the address below for the address of the Federal Records Center where records may be stored.

Categories of individuals covered by the system:

Patients in National Institute of Neurological and Communicative Disorders and Stroke (NINCDS) related studies concerning aspects of neuropharmacology.

Categories of records in the system:

Medical data.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Clinical research on the pharmacology in various diseases of the central nervous system and on the effectiveness and action of drugs as given to treat these diseases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the Privacy Act with respect to these records.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Certain infectious diseases are reported to State Government as required by law.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in laboratory notebooks, file folders and on index cards.

Retrievability:

Records are retrieved by name, diagnosis, data of laboratory determination.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access only to physicians and scientists working within a specific NIH laboratory.

Physical Safeguards: Records are kept in a cabinet and locations which are locked during non-working hours.

Procedural Safeguards: Persons having access to the system are trained in Privacy Act requirements. Records are used either in the system location or a designated work area. Records are returned to cabinets at the end of each working day. System location is attended at all times during working hours.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Intramural Research, NINCDS
Building 36, Room 5A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

To determine if a record exists write to

Head, Admin. Management Section, NINCDS
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Other medical, scientific and educational institutions; individual physicians in private practice.

Systems exempted from certain provisions of the act:

None.

09-25-0102

System name:

Administration: Grants Associates Program Working Files, HHS/NIH/DRG.

Security classification:

None.

System location:

NIH, Bg. 31, Room 1B55
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system:

Grants Associates Training Program Participants.

Categories of records in the system:

Application, correspondence, curriculum vitae including summary of assignments, reports on assignments, critiques of courses.

Authority for maintenance of the system:

5 U.S.C. Part III; 42 U.S.C. 241c.

Purpose(s):

Records are maintained for program management:

1. To assist participants in obtaining maximum benefits from the Program;
2. To provide information, without individual identifiers or personal data, to current Grants Associates about assignments and other training opportunities;
3. To provide resumes to other HHS components for possible employment of Grants Associates;
4. For review and evaluation of changes in the Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To U.S. Office of Personnel Management for salary approval.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services(HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Access limited to authorized personnel (system manager and staff). Records are stored in locked cabinets in offices which are locked during off-duty hours.

Retention and disposal:

Complete records are retained for 2 years after completion of the Grants Associate appointment. Curriculum vitae including summary of assignments are kept indefinitely. Disposal methods include burning or shredding paper materials.

System manager(s) and address:

Executive Secretary, Grants Associates Program
NIH, Bg. 31, Room 1B55
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

To determine if a record exists write to

Privacy Act Coordinator, DRG
Westwood Building, Room 448, NIH
5333 Westbard Avenue
Bethesda, MD 20205

The requester must also verify his other identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as Notification Procedures above. Requesters should reasonably specify the record contents sought.

Contesting record procedures:

Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested, and the corrective action desired.

Record source categories:

Individual; educational institution attended by individual; personal references; and the Office of Personnel Management.

Systems exempted from certain provisions of the act:

None.

09-25-0105

System name:

Administration: Health Records of Employees, Visiting Scientists, Fellows, Contractors and Relatives of Inpatients, HHS/NIH/OD.

Security classification:

None.

System location:

Buildings 10 and 13, NIH, 9000 Rockville Pike, Bethesda, MD 20205.
Federal Building, 7550 Wisconsin Avenue, Bethesda, MD 20205.
Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20205.
Rocky Mountain Laboratory, Hamilton, Montana 59840.

Categories of individuals covered by the system:

Employees, fellows, visiting scientists, relatives of inpatients, visitors, contractors working on site.

Categories of records in the system:

Medical records.

Authority for maintenance of the system:

5 U.S.C. 7901.

Purpose(s):

1. For medical treatment;
2. Upon researcher request with individual's written permission, release of record for research purposes to medical personnel;
3. Upon request by HHS personnel offices for determination of fitness for duty, and for disability retirement and other separation actions;
4. For monitoring personnel to assure that safety standards are maintained.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to Federal, State and local government agencies for adjudication of benefits under workman's compensation, and for disability retirement and other separation actions.

To district office of OPEC, Department of Labor with copies to the U.S. Office of Personnel Management for processing of disability retirement and other separation actions.

Upon non-HHS agency request, for examination to determine fitness for duty with copies to requesting agency and to the U.S. Office of Personnel Management.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Authorized users: Access is limited to authorized personnel (system manager and staff; Occupational Medicine Service staff; and personnel and administrative officers with need for information for fitness for duty, disability, and other similar determinations).

Physical safeguards: Files are maintained in locked cabinets.

Procedural safeguards: Access to files is strictly controlled by authorized staff.

These safeguards are developed in accordance with chapter 45–13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, and suplementary chapter PHS.hf: 45–13.

Retention and disposal:

Records are retained indefinitely as required by Federal Property Management Regulations Bulletin B–112.

System manager(s) and address:

Director, Division of Safety, Building 31, Room B2B47, NIH, 9000 Rockville Pike, Bethesda, MD 20205.

Administrative Officer, Rocky Mountain Laboratory, Hamilton, Montana 59840.

Notification procedure:

Contact System Manager at appropriate treatment location listed above, to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Records contain data resulting from clinical and preventive services provided at treatment location, and data received from individual.

Systems exempted from certain provisions of the act:

None.

09–25–0106

System name:

Administration: Executive Secretariat Correspondence Records. HHS/NIH/OD.

Security classification:

None.

System location:

Executive Secretariat, Office of the Director, Building 1, Room B1–55, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

Individuals who request information on NIH programs.

Categories of records in the system:

Correspondence.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Purpose(s):

1. To locate and follow-up correspondence to assure prompt reply.
2. Incoming correspondence is forwarded to other HHS components when a response from them is warranted.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Disclosure may be made from this system of records by the Department of Health and Human Services (HHS) to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored by computer index and in file folders.

Retrievability:

Records are retrieved by name, document number, date, and subject.

Safeguards:

Access to textual records is limited to authorized personnel (system manager and staff). Computer files are password protected.

Retention and disposal:

Records are retained in accordance with the NIH records Control Schedule, items 1700–C–1 and 1700–C–2. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Executive Secretariat, Building 1, Room B1–52, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Write to System Manager to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

Records are derived from incoming and outgoing correspondence.

Systems exempted from certain provisions of the act:

None.

09–25–0108

System name:

Personnel: Guest Researchers/Student Scientist/Scientists Emeriti, HHS/NIH/DPM.

Security classification:

None.

System location:

Office of the Associate Director for Intramural Affairs, NIH, Building 1, Room 103, 9000 Rockville Pike, Bethesda, MD. 20892.

Personnel and Administrative Offices of the National Institutes of Health (NIH).

Categories of individuals covered by the system:

Individuals using NIH facilities who are not NIH employees.

Categories of records in the system:

Personal information including name, address, date and place of birth, education, employment, purpose for which NIH facilities are desired, outside sponsor, and NIH sponsor.

Authority for maintenance of the system:

42 USC 241. Public Health Service Act.

Purpose(s):

To determine eligibility to use NIH facilities, to document the individual's presence at NIH, and to record that the individual is not performing a service for the government.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

To U.S. Office of Personnel Management for program evaluation purposes;

To General Accounting Office for fund disbursement determinations;

To institutions providing financial support;

To a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Records are retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

(1) Authorized users: Access is granted only to personnel staff, administrative office staff and management officials directly involved in the administration of the Guest Researcher, Student Scientist and Scientist Emeriti programs.

(2) Physical safeguards: Record facilities are locked when system personnel are not present.

(3) Procedural safeguards: Access to files is strictly controlled by system personnel. Records may be removed from the file only with the approval of the system manager or other authorized employees.

The particular safeguards implemented at each site are developed in accordance with chapter 45–13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, "ADP Systems Security", of the HHS Information Resources Management Manual.

Retention and disposal:

Years at NIH: 3 years after visit. Disposal methods include burning or shredding paper materials.

System manager(s) and address:

Assistant Director for Operations, Division of Personnel Management, Bldg. 1, Rm 19, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists and where it is located, contact: Privacy Act Coordinator, DPM, Building 31, Room 1C39, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Contact the Personnel Officer or Administrative Officer in whose office the record is located and provide verification of identity as described under notification procedure above. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Subject individual, NIH sponsor, funding institution.

Systems exempted from certain provisions of the act:

None.

09–25–0112

System name:

Grants: Research, Research Training, Fellowship and Construction Applications and Related Awards, HHS/NIH/OD.

Security classification:

None.

System location:

See Appendix I.

Categories of individuals covered by the system:

Grant applicants and Principal Investigators; Program Directors; Institutional and Individual Fellows; Research Career Awardees.

Categories of records in the system:

Grant applications and review history, awards, financial records, progress reports and related correspondence.

Authority for maintenance of the system:

"Research and Investigation," "National Library of Medicine," "National Cancer Institute," "National Heart, Lung and Blood Institute," "National Institute of Dental Research," "National Institute of Arthritis, Diabetes, and Digestive and Kidney Diseases," "National Institute of Neurological Diseases and Stroke, and Other Institutes," "National Institute of Child Health and Human Development," "National Institute of General Medical Sciences," "National Eye Institute," and "National Institute on Aging," of the Public Health Service Act, (42 U.S.C. 241, 276, 281, 287, 288, 289(a), (d), (e), (i), 289(k-2)).

Purpose(s):

1. Information provided is used by NIH staff for review, award, and administration of grant programs.

2. Information is also used to maintain communication with former fellows who have incurred an obligation through the National Research Service Award Program.

3. Staff may also use curriculum vitae to identify candidates who may serve as ad hoc consultants or committee and council members in the grant peer review process.

4. As a part of the cost analysis of a proposed grant, a budget review is conducted of the percentage of time and effort listed under personnel category, equipment and supply categories, and other items listed under "other" category.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. Of assignments of research investigators and project monitors to specific research projects to the National Technical Information Service (NTIS), Department of Commerce, to contribute to the Smithsonian Science Information Exchange, Inc.

2. To the cognizant audit agency for auditing;

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

4. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

5. To qualified experts not within the definition of Department employees as prescribed in Department Regulations, 45 CFR 56.2, for opinions as a part of the application review and award administration processes;

6. To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter;

7. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected; or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

8. To a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in a system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records;

9. To the grantee institution in connection with performance or administration under the terms and conditions of the award, or in connection with problems that might arise in performance or administration if an award is made on a grant proposal.

10. To the profit institution's president or official responsible for signing the grant application in connection with the review or award of a grant application and in connection with the administration and performance of a grant under the terms and conditions of the awards.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 168a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

The Department may disclose to consumer reporting agencies information on individuals who have failed to meet payback obligations incurred under awards made under authority of the National Research Service Awards Program (41 U.S.C. 2891-1). Information disclosed includes data identifying the individual, the amount, status and history of the obligation, and that the obligation arose from an award made under the National Research Service Awards Program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders, on computer tapes and discs, cards and in notebooks.

Retrievability:

Retrieved by name and grant number.

Safeguards:

A variety of physical and procedural safeguards are implemented, as appropriate, at the various locations of this system:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to officials whose duties require use of the information. These officials include review groups, grants management staff, other extramural program staff, health scientist administrators, data processing and analysis staff and management officials with oversight responsibilities for extramural programs. Other one-time and special access is granted on an individual basis as specifically authorized by the system manager. Authorization for access to computerized files is controlled by the system manager or designated official and is granted on a need-to-know basis. Lists of authorized users are maintained.

2. Physical Safeguards: Secured facilities, locked rooms, locked cabinets, personnel screening; records stored in order of grant numbers which are randomly assigned.

3. Procedural Safeguards: Access to file rooms and files is strictly controlled by files staff or other designated officials; charge-out cards identifying users are required for each file used; inactive records are transferred to controlled storage in Federal Records Center in a timely fashion; retrieval of records from inactive storage is controlled by the system manager or designated official and by the NIH Records Management Officer; computer files are password protected and access is actively monitored by the Computer Center to prevent abuse. Employees are given specialized training in the requirements of the Privacy Act as applied to the grants program.

These safeguards are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Years at NIH: For the appropriate Retention period and disposal method; refer to NIH Manual Chapter 1743: National Research Service Awards—chapter 4000-B-4, Construction Awards—chapter 4600 D-1, Funded Grants—Chapter 4000 B-1, Unfunded Grants—Chapter 4000 C-1.

System manager(s) and address:

See Appendix II.

Notification procedure:

Write to official at the address specified in Appendix II to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Write to the official at the address specified in Appendix IV to obtain access to a record, and provide the same information as is required under the Notification Procedures above. Requesters should also reasonably specify the record contents being sought.

Individuals may also request lists of accountable disclosures that have been made of their record(s).

Contesting record procedures:

Contact the official at the address specified in Appendix II, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information submitted by applicant; supplemented by outside reviewers and internal staff.

Systems exempted from certain provisions of the act:

None.

Appendix I: System Location

National Cancer Institute, Executive Plaza South, Suite T-42, 6120 Executive Boulevard, Bethesda, MD 20892.

National Heart, Lung and Blood Institute, Westwood Building, Room 4A09, 5333 Westbard Avenue, Bethesda, MD 20892.

National Library of Medicine, Building 38A, Room 5N509, 8600 Rockville Pike, Bethesda, MD 20892.

National Institute of Allergy and Infectious Diseases, Chief, Grants Management Branch, DEA, Westwood Building, Rooms 722 and 733, Bethesda, MD 20892.

National Institute of Allergy and Infectious Diseases, Chief, Data Control Section OAM, Westwood Building, Room 733, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Diabetes, Digestive and Kidney Diseases, Westwood Building, Room 610, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Arthritis and Musculoskeletal and Skin Diseases, Westwood Building, Room 8A18, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Child Health and Human Development, Landow Building, Room 6A21, 7910 Woodmont Avenue, Bethesda, MD 20892.

National Institute of Aging, Building 31, Room 5C39, 9000 Rockville Pike, Bethesda, MD 20892.

National Institute of Dental Research, Grants Management Officer, Westwood Building, Room 518, Bethesda, MD 20892.

National Institute of Environmental Health Sciences, Grants Management Officer, Building 2, Room 204, 104 Alexander Drive, Research Triangle Park, NC 27709.

National Institute of General Medical Sciences, Grants Management Officer, Westwood Building, Room 936, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Neurological Disorders and Stroke, Federal Building, Room 10A12, 7550 Wisconsin Avenue, Bethesda, MD 20892.

National Institute of Deafness and Other Communication Disorders, Federal Building, Room 10A12, 7550 Wisconsin Avenue, Bethesda, MD 20892.

National Eye Institute, Building 31, Room 6A47, 9000 Rockville Pike, Bethesda, MD 20892.

Division of Research Resources, Building 31, Room 5B32, 9000 Rockville Pike, Bethesda, MD 20892.

National Center for Nursing Research, Building 38A, Room B2E17, 9000 Rockville Pike, Bethesda, MD 20892.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Appendix II: System manager and address

National Cancer Institute, Grants Management Officer, Executive Plaza South, Suite 216, 6120 Executive Boulevard, Bethesda, MD 20892.

National Heart, Lung and Blood Institute, Chief, Grants Operations Branch, Division of Extramural Affairs, Westwood Building, Room 4A10, 5333 Westbard Avenue, Bethesda, MD 20892.

National Heart, Lung, and Blood Institute, Administrative Officer, Division of Extramural Affairs, Westwood Building, Room 7A11, Bethesda, MD 20892.

National Library of Medicine, Associate Director for Extramural Programs, Building 38A, Room 5N505, 9000 Rockville Pike, Bethesda, MD 20892.

National Institute of Allergy and Infectious Diseases, Chief, Grants Management Branch, DEA, Westwood Building, Room 710, Bethesda, MD 20892.

National Institute of Allergy and Infectious Diseases, Chief, Data Control Section, ITEB, OAM, Westwood Building, Room 733, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Diabetes, Digestive and Kidney Disease, Grants Management Officer, Room 639, Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Child Health and Human Development, Chief, Office of Grants & Contracts, Executive Plaza North Room S01, 6130 Executive Building, Bethesda, MD 20892.

National Institute on Aging, Grants Management Officer, Room 5C07, Building 31, Bethesda, MD 20892.

National Institute of Dental Research, Grants Management Officer, NIDR, Westwood Building, Room 518, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Environmental Health Sciences, Grants Management Officer, Building 2, Room 204, 104 Alexander Drive, Research Triangle Park, N.C. 27709.

National Institute of General Medical Sciences, Grants Management Officer, NIGMS, Westwood Building, Room 936, Bethesda, MD 20892.

National Institute of Neurological Disorders and Stroke, Grants Management Officer, Federal Building, Room 1004A, Bethesda, MD 20892.

National Institute on Deafness and Other Communication Disorders, Grants Management Officer, Federal Building, Room 1004A, Bethesda, MD 20892.

National Center for Nursing Research, Acting Director, Division of Extramural Programs, Building 38A, Room B2E17, 9000 Rockville Pike, Bethesda, MD 20892.

National Eye Institute, Grants Management Officer, Building 31, Room 6A52, 9000 Rockville Pike, Bethesda, MD 20892.

Division of Research Resources, Director, Office of Grants and Contracts Management, Building 31, Room 5B32, 9000 Rockville Pike, Bethesda, MD 20892.

Appendix III: Notification Procedures

National Cancer Institute
See Appendix II.

National Heart, Lung and Blood Institute, Privacy Act Coordinator, Building 31, Room 5A50, Bethesda, MD 20892.

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
See Appendix II.

National Institute of Diabetes, Digestive, and Kidney Diseases, Administrative Officer, Building 31, Room 9A46, 9000 Rockville Pike, Bethesda, MD 20892.

National Institute of Child Health and Human Development
See Appendix II.

National Institute of Aging
See Appendix II.

National Institute of Dental Research, NIDR Privacy Act Coordinator, Building 31, Room 2C-35, 9000 Rockville Pike, Bethesda, MD 20892.

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
See Appendix II.

National Institute of Neurological Disorders and Stroke
See Appendix II.

National Institute on Deafness and Other Communication Disorders
See Appendix II.

National Eye Institute
See Appendix II.

National Center for Nursing Research
See Appendix II.

Division of Research Resources
See Appendix II.

Appendix IV: Records Access Procedures

National Cancer Institute, Privacy Act Coordinator, Building 31, Room 10A30, 9000 Rockville Pike, Bethesda, MD 20892.

National Heart, Lung, and Blood Institute
See Appendix III.

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases, Privacy Act Coordinator, Westwood Building, Room 703, Bethesda, MD 20892.

National Institute of Arthritis, Diabetes, Digestive and Kidney Diseases
See Appendix III.

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging

See Appendix II.

National Institute of Dental Research, Grants Management Officer, Westwood Building, Room 518, 5333 Westbard Avenue, Bethesda, MD 20892.

National Institute of Environmental Health Sciences

See Appendix II.

National Institute of General Medical Sciences, Privacy Act Coordinator, Westwood Building, Room 9A05, Bethesda, MD 20892.

National Institute of Neurological Disorders and Stroke, Chief, Administrative Services Branch, Building 31, Room 8A49, 9000 Rockville Pike, Bethesda, MD 20892.

National Institute on Deafness and Other Communication Disorders, Head, Administrative Management Section, Building 31, Room B162, 9000 Rockville Pike, Bethesda, MD 20892.

National Eye Institute, Administrative Officer, Building 31, Room 6A31, 9000 Rockville Pike, Bethesda, MD 20892.

Division of Research Resources, Privacy Act Coordinator, Building 31, Room 5B10, 9000 Rockville Pike, Bethesda, MD 20892.

09-25-0115

System name:

Administration: Curricula Vitae of Consultants and Clinical Investigators, HHS/NIH/NIAID

Security classification:

None.

System location:

National Institutes of Health, Building 31, Room 7A51, 9000 Rockville Pike, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records are stored.

Categories of individuals covered by the system:

Consultants and Clinical Investigators under National Institute of Allergy and Infectious Diseases (NIAID) Investigational New Drug Applications.

Categories of records in the system:

Curriculum vitae.

Authority for maintenance of the system:

42 U.S.C. 241, 289a.

Purpose(s):

(1) To maintain a record of the investigators under Investigational New Drug (IND) applications. (2) To appoint consultants to the Clinical Research Subpanel (CRS).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in books.

Retrievability:

Retrieved by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to NIAID staff whose duties require the use of such information. Authorized users are located in the Clinical and Epidemiological Studies Branch, Microbiology and Infectious Diseases Program, NIAID. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: Building is locked during off-duty hours.

3. Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employee.

Retention and disposal:

Years at NIH: Indefinite.

System manager(s) and address:

Chief, Clinical and Regulatory Affairs Section, DMID, NIAID, Building 31, Rm 7A51, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to: NIAID Privacy Act Coordinator, Westwood Building, Room 703, 5333 Westbard Avenue, Bethesda, MD 20892.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as record notification procedures.

Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Individuals.

Systems exempted from certain provisions of the act:

None.

09-25-0118

System name:

Contracts: Professional Services Contractors, HHS/NIH/NCI

Security classification:

None.

System location:

Building 31, Rm. 6A09, DCT
9000 Rockville Pike
Bethesda, Md. 20205

Building 31, Rm. 3A22, OD
9000 Rockville Pike
Bethesda, Md. 20205

Write to System Manager at the address below for the address of the Federal Records Center where records may be stored.

Categories of individuals covered by the system:

Individuals under contract with the National Cancer Institute.

Categories of records in the system:

Professional Services Contracts.

Authority for maintenance of the system:

42 U.S.C. 241(d), 281.

Purpose(s):

Used by staff for general administrative purposes to assure compliance with contract program requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services(HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in file folders.

Retrievability:

Retrieved by name.

Safeguards:

Records are maintained in offices which are locked when not in use. Access is limited to authorized personnel (system manager and staff).

Retention and disposal:

Years at NIH: 5. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Administrative Officer, DCT
Building 31, Room 3A50, NIH
9000 Rockville Pike
Bethesda, MD 20205

Administrative Officer, OD
Building 31, Room 11A29, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Write to the appropriate System Manager listed above to determine if a record exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Individuals in the system.

Systems exempted from certain provisions of the Act:

None.

09-25-0121

System name:

International Activities: Senior International Fellowships Program, HHS/NIH/FIC.

Security classification:

None.

System location:

Bldg. 38A, Room 617, NIH, 9000 Rockville Pike, Bethesda, MD, 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records from this system are stored.

Categories of individuals covered by the system:

Applicants for Senior International Fellowships.

Categories of records in the system:

Applications and associated records and reports.

Authority for maintenance of the system:

42 U.S.C. 242e.

Purpose(s):

For award and administration of fellowships to outstanding faculty members in mid-career from U.S. biomedical research and educational institutions for study abroad.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Each fellow's home institution receives a notice of award and funding for the fellowship.

Applications are made available to authorized employees and agents of the U.S., including the General Accounting Office for purposes of investigations, instructions and audits, and in appropriate cases, to the Department of Justice for proper action under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and computer discs.

Retrievability:

Name and fellowship number.

Safeguards:

(1) Authorized Users. Employees who maintain records in this system are instructed to grant regular access only to Fogarty International Center (FIC) program staff. Other one time and special access by other employees is granted on a need to know basis as specifically authorized by the the System Manager.

(2) Physical Safeguards. The records are stored in locked file cabinets and offices are locked during off-duty hours.

(3) Procedural Safeguards. Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the System Manager or other authorized employees. For computerized records access is controlled by the use of security codes known to authorized users and access codes are changed periodically. The computer system maintains an audit record of all requests for access.

Retention and disposal:

Number of years held at NIH: 1. Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, International Research Awards Branch, Bldg. 38A, Room 617, 9000 Rockville Pike, Bethesda, Md. 20892.

Notification procedure:

Requests for notification of or access to records should be addressed to the system manager, listed above. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

Information obtained from applicants and persons supplying recommendations through the Division of Research Grants.

Systems exempted from certain provisions of the Act:

None.

09–25–0124

System name:

Administration: Pharmacology Research Associates, HHS/NIH/NIGMS

Security classification:

None.

System location:

National Institutes of Health, Westwood Bldg., Room 919, 5333 Westbard Avenue, Bethesda, MD 20892.

Write to System Manager at the address below for the address of the Federal Records Center where records are stored.

Categories of individuals covered by the system:

Applicants for positions as Pharmacology Research Associates with the Institutes of General Medical Sciences (NIGMS).

Categories of records in the system:

Individual application forms, academic transcripts and references.

Authority for maintenance of the system:

42 U.S.C. 209.

Purpose(s):

(1) For review, award and administration of the Pharmacology Research Associate Program (PRAT). (2) For consideration of the applicant by other NIH Associate Programs at the applicant's request.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

By name of applicant.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain the system are instructed to grant access only to authorized personnel (System Manager and staff assigned to the program).

2. Physical Safeguards: The records are maintained in locked file cabinets when not in use and system location is locked during nonworking hours.

3. Procedural Safeguards: Access to files is strictly controlled by responsible individuals who have been instructed in the Privacy Act requirements. Records are returned to the locked cabinets when not in use.

Retention and disposal:

1. Records of applications who are admitted to the program are kept not more than five years following their termination. 2. Records of applicants who are not permitted to the program are kept for one year. All records are shredded after proper time has elapsed.

System manager(s) and address:

Director, PRAT Program, Pharmacological Sciences, NIGMS, Westwood Bldg. Room 919, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to System Manager and provide the following information: applicant's name and date of application.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested, the corrective action sought.

Record source categories:

Clinical treatment records from physicians, nurses and other sources of care.

Systems exempted from certain provisions of the act:

None.

09–25–0126

System name:

Clinical Research: National Heart, Lung, and Blood Institute Epidemiological and Biometric Studies, HHS/NIH/NHLBI.

Security classification:

None.

System location:

Records included in this system are located in hospitals, universities, research centers, research foundations, and coordinating centers under contract with the National Heart, Lung, and Blood Institute, and in NHLBI facilities in Bethesda, Maryland. A list of locations is available from the system manager.

Categories of individuals covered by the system:

Participants in these studies include (1) individuals who have been or who are presently being treated by the National Heart, Lung, and Blood Institute, for diseases or conditions of the heart, lung, blood vessels and blood; (2) individuals whose physical, genetic, social, economic, environmental, behavioral or nutritional conditions or habits are being studied in relation to the incidence of heart, lung, blood vessel and blood diseases among human beings; and (3) normal volunteers who have agreed to provide control data germane to these studies.

Categories of records in the system:

This system consists of a variety of clinical, medical and statistical information resulting from or contained in research findings, medical histories, vital statistics, personal interviews, questionnaires, or direct observation. The system also includes records of current addresses of study participants, photographs, fingerprints, and correspondence from or about participants in these studies.

Authority for maintenance of the system:

Sec. 412, 413 of the Public Health Service Act (42 U.S.C. 287a, 287b)

Purpose(s):

(1) Summaries of data resulting from these studies are used by the National Heart, Lung, and Blood Institute to monitor and evaluate the incidence of the diseases or the conditions under investigation and the relationship of various factors to the occurrence of these diseases. (2) The summaries are also used for program planning and evaluation purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian

Institution to contribute to the Smithsonian Science Information Exchange, Inc.

3. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosures may be made to the Department of Justice for the purpose of obtaining its advice.

4. Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

5. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in the system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

7. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

8. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

9. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.

Storage:

Data may be stored in file folders, magnetic tapes or discs, punched cards, bound note books.

Retrievability:

Name and/or participant identification number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized users: Employees who maintain records in this system are instructed to grant regular access only to authorized researchers, physicians and their assistants whose duties require the use of such information.

2. Physical safeguards: Records are kept in locked file cabinets and in some instances in locked offices or guarded buildings. Locations are locked during non-working hours, and are attended at all times during working hours.

3. Procedural safeguards: Access to the data is controlled by the System Manager and the Project Officer. Data stored in computers is accessed through the use of key words known only to principal investigators or authorized personnel.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Records are retained and destroyed according to the authority of the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), section 3000-G. For a copy of this authority, write to the System Manager.

System manager(s) and address:

Associate Director for Epidemiology and Biometry, National Heart, Lung, and Blood Institute, Federal Building, 2C-08, 7550 Wisconsin Avenue, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, contact: NHLBI Privacy Coordinator, Building 31, NIH, 9000 Rockville Pike, Bethesda, MD 20892.

Requesters must provide the following information in writing:

1. Full name
2. Name and location of research study
3. Approximate dates of enrollment.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to System Manager as indicated above. The contestor must reasonably specify in writing the record contents at issue and state the corrective action sought and the reasons for the correction. The right to contest with supporting justification. The record is limited to information which is incomplete, irrelevant, incorrect, or untimely.

Record source categories:

Information contained in these records is obtained directly from individual participants and from medical and clinical research observations.

Systems exempted from certain provisions of the act:

None.

09-25-0128

System name:

Clinical Research: Neural Prosthesis & Biomedical Engineering Studies. HHS/NIH/NINDS.

Security classification:

None.

System location:

Federal Building, Room 9C02, 7550 Wisconsin Ave., Bethesda, MD 20892, and: (1) At hospitals and medical centers under contract, and (2) Federal Records Centers. A list of locations is available upon request from the system manager.

Categories of individuals covered by the system:

Patients and normal volunteers, males and females, participating in clinical studies to determine the feasibility of neural prostheses, and in clinical studies related to the development of instrumentation for diagnosis and treatment of neurological and sensory disorders conducted under contract for the National Institute of Neurological Disorders and Stroke (NINDS).

Categories of records in the system:

Clinical research data as related to studies which seek to determine the feasibility of neural prostheses and to develop instrumentation for diagnosis and treatment of neurological and sensory disorders.

Authority for maintenance of the system:

42 U.S.C. 421, 289a, 289c.

Purpose(s):

(1) Clinical research on the development of neural prosthesis (artificial devices) to enhance function of individuals with various disorders of the central nervous system.

(2) Research on the development of new instruments to improve diagnosis and treatment of disorders of the nervous system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

(1) Authorized Users: Employees who maintain records in this system are instructed to grant access only to HHS scientists and their authorized collaborators.

(2) Physical Safeguards: Records are kept in a locked room when not in use.

Retention and disposal:

Records are retained in accordance with the NIH Records Control Schedule, item 3000-G-3. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Fundamental Neurosciences Program, NINDS, Federal Building, Room 916, 7550 Wisconsin Ave., Bethesda, MD 20892.

Notification procedure:

Write to: Chief, Administrative Services Branch, NINDS, Building 31, Room 8A49, 9000 Rockville Pike, Bethesda, MD 20892, and ask if a file with your name exists in the Neural Prothesis or Biomedical Engineering Studies.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to system manager and reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

Patients, patients' families, hospital records and clinical investigators.

Systems exempted from certain provisions of the act:

None.

09-25-0129

System name:

Clinical Research: Clinical Research Studies dealing with Hearing, Speech, Language and Chemosensory Disorders. HHS/NIH/NIDCD.

Security classification:

None.

System location:

National Institute on Deafness and Other Communicative Disorders (NIDCD), Federal Building, NIH, 7550 Wisconsin Avenue, Bethesda, MD 20892, and, at hospitals, medical centers, universities and educational settings under contract. Inactive records may be stored at a Federal Records Center. A list of locations is available upon request from the System Manager at the address below.

Categories of individuals covered by the system:

Patients and normal volunteers participating in clinical research studies dealing with hearing, speech, language and chemosensory disorders.

Categories of records in the system:

Medical findings, clinical research data, medical and educational histories and research data on the hearing, speech, language, cognition and chemosensory systems of subjects being tested.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

Clinical research on the disorders of speech, language, and hearing to discover factors leading to these disorders and to improve prevention, diagnoses, and treatment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Name or identifier code.

Safeguards:

(1) Authorized Users: Employees who maintain the system are instructed to grant access only to the principal investigator and staff assigned to a particular project, and to other authorized personnel (project officer, contracting officer).

(2) Physical Safeguards: Records are locked in cabinets when not in actual use and system location is locked during non-working hours.

(3) Procedural Safeguards: Personnel having access to system are trained in Privacy Act requirements. Records are returned to locked file cabinets at end of working day.

Retention and disposal:

Years at NIH: One year to indefinitely, depending on the requirements of the specific study. Following completion of a specific study all individual identification are removed, or the records destroyed.

System manager(s) and address:

Director, Division of Communication Sciences and Disorders, NIDCD, Federal Building, Room 1C-11, NIH, 7550 Wisconsin Ave, Bethesda, MD 20892.

Notification procedure:

Write to: Head, Administrative Management Section, NIDCD, Building 31, Room B162, 9000 Rockville Pike, Bethesda, MD 20892, and ask if a file exists with your name in studies of the Division of Communication Sciences and Disorders. Please supply the following information:

1. Approximate date and place of examination and/or treatment.
2. Name of the study, if known.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to system manager and reasonably identify the record specify the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

Information provided by patients, patients' families, hospital records, school records, and clinical investigators.

Systems exempted from certain provisions of the act:

None.

09-25-0130

System name:

Clinical Research Studies in the Division of Cancer Cause and Prevention, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Executive Plaza North, Room 443, 6130 Executive Blvd., Bethesda, MD 20892, and National Institutes of Health, Bldg. 12, 9000 Rockville Pike, Bethesda, MD 20892, and at hospitals, medical schools, universities, research institutions commercial organizations, state agencies, and collaborating government agencies. A list of locations and contracts is available upon request from the system manager.

Categories of individuals covered by the system:

Patients with cancer and other environmentally caused diseases, (e.g., birth defects), patients with other diseases (e.g., heart disease), normal and other persons (e.g., family members) for the purpose of making comparisons.

Categories of records in the system:

Medical records, progress reports, correspondence, epidemiological computerized data and records on biological specimens (e.g., blood, tumors, urine, etc.).

Authority for maintenance of the system:

42 U.S.C. 241, and 282.

Purpose(s):

To determine: (1) Factors or substances in the environment which cause cancer; (2) ways in which these factors or substances may cause cancer; (3) characteristics of persons who may be particularly susceptible to the environmental factor(s) or substance(s) and/or to cancer.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

4. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, microfilm, charts, graphs, computer tapes, disks, and punch cards.

Retrievability:

By name and/or code number.

Safeguards:

HHS contractors and collaborating researchers are required to comply with the provisions of the Privacy Act and with Department to Regulations. Subjects participating in a clinical study are advised that their identity will only be known to those who are involved in conducting the study and that any published findings will be in a format which precludes individual identification. Data are kept in secured areas with access limited authorized personnel (system manager, project officer, contracting officer, collaborating researchers, staff, and HHS contractors). Data transmitted to the NCI are in a form which precludes individual identification. For computerized records the contractor is required to comply, where appropriate, with Department standards and National Bureau of Standards Guidelines. For example, access is controlled by the use of security codes known only to authorized personnel.

Retention and disposal:

One year to indefinitely depending on the project. Hard copy burned; computer tapes and disks erased.

System manager(s) and address:

National Cancer Institute, Chief, Environmental Epidemiology Branch, Executive Plaza North, Room 443, 6130 Executive Blvd., Bethesda, Maryland 20892.

Notification procedure:

To determine if a file exists, write to System Manager and provide the following information:

a. System name: Environmental Epidemiologic Studies in the Division of Cancer Cause and Prevention.

b. Complete Name at time of study.

c. Facility and Home Address at the time the study was undertaken.

d. Date(s) at the time the information was provided (if known).

e. Birthdate.

f. Disease type (if known).

The requester must also verify his or her identity by providing either a notarization of the request of a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to five thousand dollar fine.

Individuals seeking notification of or access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Write to System Manager and specify the record sought. The same information required above for notification is also needed for access.

Contesting record procedures:

Write to System Manager and specify the record and the part(s) to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

HHS agencies, institutions under contract to the U.S. Government, universities, medical schools, hospitals, research institutions, commercial institutions, state agencies, other U.S. Government agencies, patients and normal volunteers, physicians, research investigators and other collaborating personnel.

Systems exempted from certain provisions of the act:

None.

09-25-0133

System name:

Clinical Research: Kidney Transplant Histocompatibility Study (KTHS), HHS/NIH/NIDDK.

Security classification:

None.

System location:

Records included in this system are located in hospitals, research foundations, and universities under contract, in Federal Records Centers and in the National Institute of Allergy and Infectious Diseases (NIAID) facilities in Bethesda, Md. Write to the system manager at the address below for the addresses of current locations.

Categories of individuals covered by the system:

Patients who have received kidney transplants and donors of kidneys transplanted at participating institutions during the period January 1, 1974, through December 31, 1976.

Categories of records in the system:

Clinical and medical records containing information on clinical examinations, laboratory findings, and related research records. For kidney recipients, a demographic profile is also included.

Authority for maintenance of the system:

42 U.S.C. 241a, and 289c.

Purpose(s):

(1) To study the relevance of tissue typing to the outcome of kidney transplants. (2) To study the influence of organ preservation techniques and various surgical and medical therapies on the outcome of kidney transplants.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

2. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

3. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

4. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

5. Certain infectious diseases are reported to State Governments as required by law.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, punched cards, and magnetic tapes or discs.

Retrievability:

Information is retrieved by name and location of study and by transplant number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location. Each site implements personnel, physical, and procedural safeguards such as the following:

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to NIAID staff whose duties require the use of such information. Authorized users are located in the Genetics and Transplantation Biology Branch, Immunology and Allergic and Immunologic Diseases Program, NIAID.

2. Physical Safeguards: Records in this system are stored in locked cabinets. Access to the computer files is by key word.

3. Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employee. For computerized records, access is controlled by the use of security codes known only to authorized users.

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule, Manual Chapter 1743 (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research. Disposal is by burning or shredding and computer tapes are erased.

System manager(s) and address:

Chief, Genetics and Transplantation Biology Branch, IAIDP, National Institute of Diabetes and Digestive Kidney Diseases, NIH, Westwood Building, Room 754, 5333 Westbard Avenue, Bethesda, Maryland, 20892.

Notification procedure:

To determine if a record exists, write to: Privacy Act Coordinator, NIAID, Westwood Building, Room 703, 5333 Westbard Avenue, Bethesda, Maryland 20892 and provide the following information:

1. Full name
2. Name and location of clinical trial facility
3. Approximate dates of enrollment in the research study

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information contained in these records is obtained directly from individual participants and from medical records and clinical research observations.

Systems exempted from certain provisions of the act:

None.

09–25–0134

System name:

Clinical Research: Epidemiology Studies, National Institute of Environmental Health Sciences. HHS/NIH/NIEHS.

Security classification:

None.

System location:

National Institute of Environmental Health Services (NIEHS), Epidemiology Branch, P.O. Box 12233, Research Triangle Park, North Carolina 27709, and at hospitals, medical schools, universities, research institutions, commercial organizations, state agencies, and collaborating government agencies. Inactive records may be stored in a Federal Records Center. A list of locations and contracts is available upon request made to the System Manager.

Categories of individuals covered by the system:

Adults and minors, both male and female, with known or suspected diseases, maladies, chemical or biological contaminations, as well as normal or non-suspect individuals and minors in control or study groups for the purposes of comparison. Individuals included in this system of records normally have volunteered to participate in the study and voluntarily provided information for inclusion in the system.

The participants may be, but are not limited to, patients; workers subject to specific environments; individuals selected because of social, nutritional, physical, genetic and economic conditions and behavioral characteristics; and members of the general population subject to the variety of contaminants present in the environment.

Categories of records in the system:

This system consists of a variety of records pertinent to an individual's current health status: Medical history; occupational history and work environments; and selected items of personal data such as smoking habits, family size, family medical history and domiciles. Examples of information which may be included in this system are name, Social Security Number, date of birth, weight, height, sex, race, medical history, blood type, laboratory results, examination findings, current and previous medications received, list of employers, descriptions of the work environment, substances or compounds routinely handled or exposed to, and a history of current and previous residences.

Authority for maintenance of the system:

42 U.S.C. 241.

Purpose(s):

National Institute of Environmental Health Sciences uses the data collected to:

1. Determine whether or not general conditions, chemicals and/or other substances found in the environment have effects on the health and well being of individuals or groups of individuals;

2. Determine how these conditions, chemicals or other substances, acting by themselves or in combination, produce adverse effects on health;

3. Identify individual or group characteristics that make a person susceptible to chemical contamination, disease or other adverse health effects from these environmental conditions or agents;

4. Determine whether there is a general or background level of exposure or other chemical effects in a local area, regional area, or nationally as well as within general or specific work environments;

5. Develop and/or validate epidemiologic or laboratory methods for detecting adverse effects due to environmental exposures;

6. Determine the scientific basis for advising regulatory agencies such as the Environmental Protection Agency, the National Institute of Occupational Safety and Health and the Department of Labor's Occupational Safety and Health Administration regarding the adverse health effects of substances and conditions found in the environment;

7. Determine the scientific basis for advising local, state, other governmental agencies and international governments regarding the adverse health effects of substances and conditions found in the environment;

8. Determine the scientific basis for advising the Congress, industry, workers, scientific or public agencies and other interested parties regarding the known or potential for adverse health effects from exposure to substances or conditions found in the environment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to a congressional office from the record of the individual in response to an inquiry from the congressional office, made at the request of the individual, and in the case of a minor, the minor's parent or legal guardian.

3. Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

4. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

5. Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from a mandatory disclosure, disclosure may be made from this system of records.

6. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

7. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is stored in one of a combination of the following mediums: file folders, data forms, punch card, magnetic tape discs.

Retrievability:

Information is retrieved by personal identifier such as name or code number. Social security numbers which are supplied on a voluntary basis also are used for retrieval.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

(1) Authorized users: Use of these records is limited to those persons whose official duties require such access. Access to the information is controlled by the Project Officer or his representative at remote locations. Contractors or collaborating researchers, by formal agreement, comply with the provisions of the Privacy Act and Department regulations.

(2) Physical safeguards: Hard copy data is maintained in locked file cabinets at the National Institute of Environmental Health Sciences or remote study locations. Information stored in computer systems is accessible only through proper sequencing of signal commands and access codes specifically assigned to the Project Officer or contractor in accordance with Departmental standards and National Bureau of Standards guidelines.

(3) Procedural safeguards: Subjects directly participating in studies are advised that their identity is known only to those persons involved in conducting the study, and that any published findings will be in a format which precludes individual identification.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

The records are maintained until they are no longer required for the research purpose(s) for which the record was established. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible. Computer tapes and discs are erased.

System manager(s) and address:

Chief, Epidemiology Branch, National Institute of Environmental Health Sciences, P.O. Box 12233, Research Triangle Park, North Carolina 27709.

Notification procedure:

Normally, individuals would know whether a file existed on the basis of their voluntary participation and provision of data. However, individuals may write to the system manager to determine if a file exists. The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine. In writing, they should provide the following data:

a. Complete name at the time of the study.

b. Birthdate.

c. Home address at the time of the study.

d. The facility where the examination was given or information otherwise collected.

e. Date, or approximate dates when information was collected or an examination conducted.

f. Name of study if known.

g. A current name, address and telephone number where they can be reached.

An individual who requests notification of or access to a medical or dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's description.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

The same information as outlined under notification procedures is needed for access to records. The request should be addressed to the System Manager.

Contesting record procedures:

Write to the System Manager and specify the record and the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

HHS agencies, institutions under contract to the U.S. Government, universities, medical schools, hospitals, commercial, institutions, labor and trade organizations, State agencies, international agencies, foreign governments, other U.S. Government agencies, patients and normal volunteers, physicians, researchers and other collaborating personnel.

Systems exempted from certain provisions of the act:

None.

09-25-0140

System name:

International Activities: International Scientific Researchers in Intramural Laboratories at the National Institutes of Health, HHS/NIH/FIC.

Security classification:

None

System location:

Fogarty International Center, Building 16A, Room 101, 9000 Rockville Pike, Bethesda, MD 20892, and Division of Computer Research and Technology, Building 12A, Room 3061, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892.

Ancillary records are located in the Office of the Associate Director for Intramural Affairs, laboratories, administrative and personnel offices where participants are assigned. Write to System Manager at the address below for the address of the Federal Records Center where records are stored.

Categories of individuals covered by the system:

Health scientists at all levels of their postdoctoral or equivalent research careers who are invited to the National Institutes of Health for further training or to conduct research in their biomedical specialties under the auspices of FIC's administration of International Activities. Most of these scientists are foreign, however some may be resident aliens or U.S. citizens.

Individuals in these categories include Visiting Associates, Visiting Scientists, Foreign Special Experts who are employees and Visiting Fellows, Guest Researchers, Exchange Scientists, International Research Fellows, Fogarty Scholars, Special Volunteers, Adjunct Scientists and Residents who are not employees.

Categories of records in the system:

History of fellowship, employment and/or stay at NIH; education, immigration data and references. For payroll purposes, social security numbers are requested of all applicants accepted into the program.

Authority for maintenance of the system:

42 USC 2421 and Section 307 of the Public Health Service Act.

Purpose(s):

To document the individual's presence at the NIH, to record immigration history of the individual in order to verify continued eligibility in existing programs, and to meet requirements in the Code of Federal Regulations (8 CFR Parts 8 & 22, "Aliens and Nationality").

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is made available to authorized employees and agents of the U.S. Government including, but not limited to, the General Accounting Office, the Internal Revenue Service, and the FBI and Immigration and Naturalization Service, Department of Justice, for purposes of investigations, inspections and audits.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has any interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders and on file cards, computer tapes and microfilm.

Retrievability:

By name, country of citizenship, institution, fellowship number, social security number, visa and immigration status, and home address.

Safeguards:

A variety of safeguards is implemented for the various sets of records included under this system according to the sensitivity of the data they contain.

1. Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to FIC program staff. Other one-time and special access by other employees is granted on a need-to-know basis as specifically authorized by the system manager.

2. Physical Safeguards: The records are maintained in locked file cabinets, and offices are locked during off-duty hours.

3. Procedural Safeguards: Access to files is strictly controlled by files staff. Records may be removed from files only at the request of the system manager or other authorized employees. For computerized records, access is controlled by the use of security codes known only to authorized users; access codes are changed periodically. The computer system maintains an audit record of all requests for access.

These practices are in compliance with the standards of chapter 45-13 of the HHS General Administration Manual, supplementary chapter PHS hf: 45-13, and Part 6, "ADP System Security" of the HHS Information Resource Management Manual.

Retention and disposal:

Records of successful applicants are retained indefinitely.

System manager(s) and address:

Chief, International Services and Communications Branch, Building 16A, Room 101, Fogarty International Center, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892.

Notification procedure:

Requests for notification of or access to records should be addressed to the system manager as listed above. Verification of identity is required.

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official listed under notification procedure above, and reasonably identify the record, and specify the information to be contested, and state the corrective action sought and the reasons for the correction.

Record source categories:

Subject individuals and other federal agencies.

Systems exempted from certain provisions of the act:

None.

09-25-0142

System name:

Clinical Research: Records of Subjects in Intramural Research, Epidemiology, Demography and Biometry Studies on Aging, HHS/NIH/NIA.

Security classification:

None.

System location:

Records included in this system will be located in hospitals and clinics, research centers and research foundations, and in facilities of the National Institute on Aging (NIA) in Bethesda, MD. They may be stored at Federal Records Centers. A list of locations is available upon request from the System Manager.

Categories of individuals covered by the system:

Participants in these studies will include: (1) Individuals whose physical, genetic, social, psychological, cultural, economic, environmental, behavioral, pharmacological, or nutritional conditions or habits are studied in relationship to the normal aging process and/or diseases and other normal or abnormal physical or psychological conditions of the aged, and (2) normal volunteers who are participants in such studies.

Categories of records in the system:

This system will consist of a variety of health, demographic, and statistical information resulting from or contained in research findings, medical histories, vital statistics, personal interviews, questionnaires, or direct observations. The system will also include records of current addresses of study participants, and correspondence from or about participants in the studies. When supplied on a voluntary basis, Social Security numbers will also be included.

Authority for maintenance of the system:

Authority is provided by Sections 301, Research Contracting, and 463-4, Health Research Extension Act of 1985, Pub. L. 99-158.

Purpose(s):

The National Institute on Aging will use the data collected; (1) in research projects on (a) the health status of individuals and changes in health status over time, (b) the incidence and prevalence of certain diseases and problems of the aged in certain populations, and (c) the changes that take place as individuals age; (2) and for program planning and evaluation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records may be disclosed to HHS contractors, collaborating researchers and their staffs in order to accomplish the basic research purpose of this system. The recipients will be required to maintain Privacy Act safeguards with respect to such records.

2. Data may be disclosed to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

3. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use of disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained: (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

4. In the event the Department deems it desirable or necessary in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

5. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, magnetic tapes or discs, punched cards, or bound notebooks. Stored data may include textual, photographic, X-ray, or other material.

Retrievability:

Information will be retrieved by personal identifiers such as name, code number and/or Social Security number, when this is supplied on a voluntary basis.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized Users: Access will be limited to principal investigators, collaborating researchers and necessary support staff.

2. Physical Safeguards: Hard copy data will be maintained in locked file cabinets. Information stored in computer systems will be accessible only through proper sequencing of signal commands and access codes specifically assigned to the Project Officer or contractor.

3. Procedural Safeguards: Access to the information will be controlled directly by the Project Officer or his or her representative at remote locations, and by the system manager at NIA locations. Contractors and collaborating researchers will be notified that they are subject to the provisions of the Privacy Act, and will be required to make formal agreements to comply with these provisions. The particular safeguards implemented in each project are developed in accordance with chapter 45-13 and supplementing chapter PHS of 45-13 of the HHS General Administration Manual and part 6, ADP Systems Security, of the HHS Information Resources Management Manual, and the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records at contractor facilities will be retained and disposed of under the specific terms established in each contract. Records at NIA facilities will be retained and disposed of under the authority of the

NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361, item 3000-G-3). Write to system manager for a copy of the authorized disposition.

System manager(s) and address:

Privacy Act Coordinator, National Institute on Aging, Building 31, Room 2C08, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to the System Manager at the address below and provide the following information in writing:

1. Full name at time of participation in the study,
2. Date of birth,
3. Home address at the time of study,
4. The facility where the examination was given or where information was collected,
5. Approximate date or dates of participation,
6. Name of study, if known,
7. Current name, address and telephone number.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollars fine.

An individual who requests notification of or access to a medical or dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's description.

Record access procedures:

Contact the system manager at the above address and provide the same information as outlined under the notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the system manager at the address below. The contestor must reasonably identify the record, specify in writing the information being contested, and state the corrective action sought and the reasons for the correction and the reasons for the correction.

Record source categories:

Information will be obtained directly from individual participants and from medical and clinical research observations, or indirectly from existing source documents such as disease registries.

Systems exempted from certain provisions of the act:

None.

09-25-0143

System name:

Biomedical Research: Records of Subjects in Clinical, Epidemiologic and Biometric Studies of the National Institute of Allergy and Infectious Diseases, HHS/NIH/NIAID.

Security classification:

None.

System location:

At National Institutes of Health facilities in Bethesda, Maryland, and at hospitals, medical schools, universities, research institutions, commercial organizations, state agencies, and collaborating Federal agencies. Inactive records may be retired to Federal Records Centers. A list of locations is available upon request from the System Manager.

Categories of individuals covered by the system:

Patients with infectious diseases, immunologic diseases involving adverse reactions of the body (e.g., allergic reactions) and related diseases (e.g. Acquired Immunodeficiency Disease Syndrome/AIDS), normal healthy volunteers who serve as controls for comparison with patients, relatives of patients and other individuals whose characteristics or conditions are being studied for possible connections with the occurrence of the diseases under investigation.

Categories of records in the system:

This system consists of a variety of clinical, medical, and epidemiological information resulting from or contained in direct observations, medical records and other histories, vital statistics reports, records on biological specimens (e.g., blood, urine, etc.), personal interviews, questionnaires, progress reports, correspondence or research findings.

Authority for maintenance of the system:

42 U.S.C. 241, 289a, 289c.

Purpose(s):

This system will be used to support (1) Epidemiologic, clinical and biometric investigations into the causes, nature (morbidity and mortality), outcome, therapy and cost of infectious, immunologic and related diseases; (2) Review and evaluation of the progress of these research projects, and identification of and planning for improvements or for additional research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

3. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

4. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosures may be made to the Department of Justice for the purpose of obtaining its advice.

5. The Department contemplates that it may contract with one or more private firms for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to maintain Privacy Act safeguards with respect to such records.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice or other appropriate Federal agency to enable that agency to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

7. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, computer-accessible forms (e.g. tapes or discs), punched cards, bound notebooks, microfilm, charts, graphs, and X-rays.

Retrievability:

Information is retrieved by name and/or participant identification number.

Safeguards:

Access to or disclosure of information is limited to collaborating researchers, contractors and NIAID employees who are involved in the conduct, support or review and evaluation of the research activities supported by this system. Contractors and collaborating researchers are required to comply with the provisions of the Privacy Act and with Department regulations.

Data are kept in secured areas (e.g. rooms which are locked when not in regular use, buildings with controlled access). Data stored in computer-accessible form is accessed through the use of key words known only to principal investigators or authorized personnel; all other information is stored in locked files.

These and other appropriate safeguards are implemented in each project in accordance with chapter 45-13 of the HHS General Administration Manual, supplementary chapter PHS hf. 45-13, and part 6, Systems Security, of the HHS Information Resources Management Manual.

Retention and disposal:

Records at contractor facilities are retained and destroyed according to the terms of the contract. Records at NIAID facilities are retained and destroyed in accordance with the authority provided in the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows the records to be kept until the system manager determines that the data has no further value for scientific research. Disposal methods include burning or shredding hard copy and erasing computer tapes and discs.

System manager(s) and address:

Chief, Epidemiology and Biometry Branch, DMID, National Institute of Allergy and Infectious Diseases, Westwood Building, Room 739, Bethesda, Maryland 20892, and Chief, Epidemiology Branch, DATDS, Room 240P, Control Data Building, 6003 Executive Blvd., Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to:

NIAID Privacy Act Coordinator, Room 703, Westwood Building, 5333 Westbard Avenue, Bethesda, MD 20892, and provide the following information:

1. System name,
2. Complete name and home address at the time of the study,
3. Birthdate,
4. Facility conducting study,
5. Disease type (if known),
6. Approximate dates of enrollment in the research study.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to five thousand dollar fine.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, other health professional, or other responsible individual, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information contained in these records is obtained directly from individual participants, from physicians, research investigators and other collaborating persons and from medical records and clinical research observations at hospitals, HHS agencies, universities, medical schools, research institutions, commercial institutions, state agencies, collaborating Federal agencies.

Systems exempted from certain provisions of the act:

None.

09-25-0148

System name:

Contracted and Contract-Related Research: Records of Subjects in Clinical, Epidemiological and Biomedical Studies of the National Institute of Neurological Disorders and Stroke and the National Institute on Deafness and Other Communication Disorders, HHS/NIH/NINDS and HHS/NIH/NIDCD.

Security classification:

None.

System location:

At National Institutes of Health facilities in Bethesda, Maryland, and at hospitals, medical schools, universities, research institutions, commercial organizations, state agencies, and collaborating Federal agencies. Inactive records may be retired to Federal Records Centers. A list of locations is available upon request from the respective System Managers of the subsystems included in this notice.

Categories of individuals covered by the system:

Patients with neurological diseases, communicative disorders, stroke, hearing loss, chemosensory deficits, and related diseases; normal, healthy volunteers who serve as controls for comparison with patients; relatives of patients; and other individuals whose characteristics or conditions are suited for possible connections with the occurrence of the diseases and disorders under investigations. Subject individuals include both adults and children.

Categories of records in the system:

This system consists of a variety of clinical, biomedical, and epidemiological information resulting from or contained in direct observations, medical records and other histories, vital statistics reports, records on biological specimens (e.g., blood, urine, etc.), personal interviews, questionnaires, progress reports, correspondence, or research findings.

Authority for maintenance of the system:

Sections 241, Research and Investigation, and 289a, Establishment of Institutes, of the Public Health Service Act (42 U.S.C. 301, 431).

Purpose(s):

This system will be used to support (1) contracted and contract-related epidemiological, clinical and biometric investigations into the causes, nature, outcome, therapy, prevention and cost of neurological and communicative disorders, hearing loss, chemosensory deficits, and stroke; (2) review and evaluation of the progress of these research projects, and identification and planning for improvements or for additional research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

3. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

4. In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosures may be made to the Department of Justice for the purpose of obtaining its advice.

5. The Department contemplates that it may contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to maintain Privacy Act safeguards with respect to such records.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

7. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, computer-accessible forms (e.g. tapes or discs), punched cards, bound notebooks, microfilm, charts, graphs and X-rays.

Retrievability:

Information is retrieved by name and/or patient identification number.

Safeguards:

Access to or disclosure of information is limited to collaborating researchers, contractors and employees, and other authorized biomedical researchers who are involved in the conduct, support or review and evaluation of the research activities supported by this system. Contractors and collaborating or other researchers are required to comply with the provisions of the Privacy Act and with HHS Privacy Act regulations.

Data are kept in secured areas (e.g. rooms which are locked when not in regular use, buildings with controlled access). Data stored in computer-accessible form is accessed through the use of key words known only to principal investigators or authorized personnel; all other information is stored in locked files.

These and other appropriate safeguards are implemented in each project in accordance with chapter 45-13 of the HHS General Administration Manual, supplementary chapter PHS hf. 45-13, and Part 6, Systems Security, of the HHS Information Resources Management Manual.

Retention and disposal:

Records at contractor facilities are retained and destroyed as specified in individual contracts.

Records at NIH facilities are retained and destroyed in accordance with the NIH Records Control Schedule (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows the records to be kept until the system manager determines that the data has no further value for scientific research. Disposal methods include burning or shredding hard copy and erasing computer tapes and discs.

System manager(s) and address:

NINDS and NIDCD research activities are divided, functionally and administratively. In effect, there are six subsystems within this single umbrella system. NINDS has five programs and NIDCD one. System Managers have been designated for each subsystem as follows:

Director, Division of Communication Sciences and Disorders, NIDCD, NIH, Federal Building, Room 1C11, 7550 Wisconsin Avenue, Bethesda, MD 20892, and Director, Division of Fundamental Neurosciences, NINDS, NIH, Federal Building, Room 916, 7550 Wisconsin Avenue, Bethesda, MD 20892, and Director, Division of Convulsive, Developmental and Neuromuscular Disorders, NINDS, NIH, Federal Building, Room 816, 7550 Wisconsin Avenue, Bethesda, MD 20892, and Director, Division of Demyelinating Atropic, and Dementing Disorders, NINDS, NIH, Federal Building, Room 812, 7550 Wisconsin Avenue, Bethesda, MD 20892, and Director, Division of Stroke and Trauma, NINDS, NIH, Federal Building, Room 8A08, 7550 Wisconsin Avenue, Bethesda, MD 20892, and Director, Division of Intramural Research, NIH, Building 10, Room 5N14, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to:

NINDS Privacy Act Coordinator, Federal Building, Room 816, 7550 Wisconsin Avenue, Bethesda, MD 20892, or NIDCD Privacy Act Coordinator, Federal Building, Room 1C-06, 7550 Wisconsin Avenue, Bethesda, MD 20892, and provide the following information:

1. System name,
2. Complete name and home address at the time of the study,
3. Birthdate,
4. Facility conducting the study,
5. Disease type (if known),
6. Approximate dates of enrollment in the research study.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Individuals seeking notification of or access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual, who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) of whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notifications procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the system manager and reasonably identify the record, specify the information being contested and state the corrective action sought and the reasons for the correction.

Record source categories:

Information in these records is obtained directly from individual participants, and from physicians, research investigators and other collaborating persons, and from medical records and clinical research observations at hospitals, HHS agencies, universities, medical schools, research institutions, commercial institutions, state agencies, and collaborating Federal agencies.

Systems exempted from certain provisions of the act:

None.

09-25-0151

System name:

Administration: Public Health Service ALERT Records Concerning Individuals Under Investigation for Possible Misconduct in Science or Subject to Sanctions for Such Misconduct, HHS/PHS/NIH.

Security classification:

None.

System location:

Division of Management Survey and Review, National Institutes of Health (NIH), Bldg. 31 Room 4C02, 9000 Rockville Pike, Bethesda, MD 20892.

Categories of individuals covered by the system:

Subjects may include (1) researchers currently or formerly employed by the Federal Government; (2) individuals being considered for appointment to Public Health Service (PHS) advisory committees: (3) investigators on research grants, fellowships, cooperative agreements, or contracts awarded by any PHS agency, "Investigators" may include principal investigators, co-investigators, program directors, trainees, recipients of career awards or fellowships, or other individuals who conduct or are responsible for research or research training funded by PHS.); (4) research investigators, such as guest workers, not employed by PHS but who conduct research in PHS facilities or are closely associated with research conducted by PHS; (5) other individuals, such as subgrantees, subcontractors or assistants on research or research training grants, contracts or cooperative agreements, who by training, experience, occupation or other qualifications are potential candidates for research or research training grants, contracts, cooperative agreements or other benefits. Such individuals would be subjects of records in this system if they fall within either of the following two categories:

(1) Subjects of formal investigations for scientific misconduct or serious misappropriation of Federal research funds, if the PHS Agency-level/Staff Office Misconduct Policy Officer has determined that the alleged misconduct is serious enough, or that the investigation has produced sufficient information, to warrant attention when a PHS agency considers awarding research or research training funds or other benefits to such individuals.

(2) Subjects of sanctions imposed as a result of determinations that scientific misconduct or serious misappropriation of Federal research funds has occurred. Such sanctions include (a) actions affecting eligibility for research and training awards, such as special conditions for receipt of an award, suspension or termination of an award, or debarment of an individual; (b) actions affecting eligibility for appointment to a committee which advises PHS; (c) special restrictions on regulated research, such as disqualification from eligibility to use investigational drugs or special conditions for protection of human research subjects; and (d) termination of employment or other disciplinary action against an employee of PHS.

Categories of records in the system:

This system contains records relating to investigations or findings of misconduct in science and to actions that PHS has taken in connection with such investigations or findings. Misconduct in science is defined as (1) the serious deviation, such as fabrication, falsification, or plagiarism, from accepted practices in proposing, conducting and reporting the results of research; or (2) the material failure to comply with Federal requirements affecting specific aspects of the conduct of research, e.g., the protection of human subjects and the welfare of laboratory animals.

In addition to records relating to misconduct in science, the system includes records relating to investigations or findings of serious misappropriation of Federal research funds—e.g., diversion of such funds to personal use. It does not include records documenting normal business transactions between a PHS agency and an awardee institution, except to the extent that such records are directly relevant to consideration of the fitness of an individual to receive a PHS award or other benefit.

The system consists of two subsystems which contain the following types of records:

(1) Records on pending or ongoing investigations identifying the alleged misconduct; the individual and/or institution under investigation; any present, past or pending research, and/or research training awards; PHS agencies or offices involved, and the organization responsible for the investigation.

(2) Records summarizing sanctions imposed because of a finding of misconduct, which adversely affect the individual's eligibility for research or research training awards or other benefits for a specified period of time.

Either subsystem may contain responses from subject individuals.

Authority for maintenance of the system:

Authority for this system comes from the legislation which authorizes PHS to make awards for biomedical research and research training, and from PHS's concomitant responsibility to assure both that funds disbursed under awards are spent for authorized purposes and that recipients of such funds conform to all appropriate laws and regulations. (Public Health Service Act: 42 U.S.C. 241, 242b, 242c, 242l, 242m, 247c, 281–289h, 290aa–9, 290bb, 290bb–1, 290cc, 300a–2, 300b–1—b–3, 300c–12, 300z–7, as these provisions relate to awards for biomedical research and research training; Occupational Safety and Health Act: 29 U.S.C. 669).

Purpose(s):

This system of records enables PHS agencies to discharge effectively their responsibilities in the award and administration of research and training grants, cooperative agreements and contracts, while protecting the privacy and other rights of individuals under investigation or sanction for scientific misconduct or misappropriation of funds. The ALERT system is used to collect, control and disseminate to PHS agency officials on a need-to-know basis information that an individual (1) is under investigation for possible misconduct in science or misappropriation of funds, or a decision has been made to undertake such an investigation; or (2) has been subjected to a sanction at the conclusion of an investigation for misconduct or misappropriation of funds.

Specifically,

(1) PHS records the existence of such sanctions in the system so that PHS agencies can track and implement the sanctions, for example by refusing to accept an application or proposal from a debarred person. In addition, PHS informs members of technical merit review groups of actions taken if the disclosure bears directly on the scientific merit of an application or proposal under consideration or the fiscal integrity of the investigator or applicant, or if necessary to ensure an unbiased review by providing an accurate account of the case, for example, when information concerning the conduct investigated has been disclosed by other sources, such as the press or other communications media. PHS does not use this system to make decisions on imposition of sanctions.

(2) When investigative findings fail to confirm an instance of misconduct or show that any misconduct was not of sufficient importance to warrant imposing sanctions, leading to a decision not to impose any sanctions,

(a) The individual's name is removed from the ALERT system of records and the individual is notified in writing;

(b) Responsible PHS agency officials are notified of the outcome;

(c) If any interim administrative sanctions had been imposed, they are lifted; and

(d) If a competing application or proposal from the individual is pending or anticipated in the near future, the Misconduct Policy Officer of the relevant agency consults with officials responsible for review of the application or proposal to identify and resolve any concerns that might affect the objectivity of the review. For example, technical merit review groups would be informed of the outcome of the investigation if there were reason to believe that reviewers had received incomplete or misleading information about the case.

(3) PHS agencies use ALERT system records on pending or ongoing investigations to make informed decisions on appropriate actions regarding awards of research, research training and related activities or other benefits to individuals under investigation as follows:

(a) PHS agency officials responsible for the award of research funds, in consultation with the PHS agency-level Misconduct Policy Officer, weigh information on investigations in deciding whether to take interim administrative action, such as delaying, restricting or denying award of research funds. Any interim action is taken with a view towards protecting the rights of all parties involved and minimizing disruption to an ongoing project, the awardee institution, and the activities of those involved in the project.

(b) To obtain independent advice on appropriate actions with respect to potential competing awards to individuals or organizations under investigations, these officials or their designees inform the members of the appropriate National Advisory Council or Board, advisory bodies legally established to advise PHS on funding of research projects, of the existence and status of an investigation. Such disclosure is made in closed session when the Council or Board is considering the funding of research by the individual or institution.

To avoid influencing Technical Reviews, PHS will not inform members of scientific review groups about instances of possible misconduct or ongoing investigations. However, if a given case has received such extensive publicity that review of an application or proposal may be comprised, the responsible PHS agency official may defer the review or inform the reviewers of the status of PHS's activities with respect to the possible misconduct.

(4) The PHS Committee on Misconduct in Science, and individual PHS Agency/Staff Office Misconduct Policy Officers, review ALERT records in order to inform appropriate officials within their organizations who are responsible for deciding on the actions described in other items of this section.

(5) PHS Committee Management Officers may review records in the system concerning candidates for appointment to advisory committees in order to make informed decisions about making, delaying or denying appointments.

(6) Upon request, the system manager may disclose information to PHS agency officials who are considering hiring a subject individual.

(7) When a research activity within PHS (i.e., intramural research activity) is the subject of an investigation by a PHS regulatory agency, information on that investigation in this system may be communicated to the PHS intramural officials responsible for the research activity.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) PHS may notify responsible officials of awardee institutions or organizations when, in connection with an investigation or finding of misconduct by an individual employed by or affiliated with the institution or organization, a PHS agency takes an action affecting research and research training awards to the institution or organization. Information disclosed will be limited to the name of the subject individual, description of the action and the reasons for it.

(2) Information may be disclosed to qualified experts not within the definition of Department employees as prescribed in Department Regulations to the extent the information is pertinent to the review of applications by those experts.

(3) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(4) Disclosure may be made from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) HHS employee in his or her individual capacity or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tirbunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders.

Retrievability:

Records are retrieved by name of the individual under investigation or subject to sanction.

Safeguards:

(1) Authorized Users: Records are available only to the system manager, PHS Agency-level/Staff Office Misconduct Policy Officers, the Deputy Director for Extramural Research and Training, NIH, and other responsible PHS agency officials considering the award of funds for research, research training or related activities or other benefits to a subject individual or institution, the appointment of a subject individual to an advisory committee, the hiring of a subject individual, or the management of a PHS agency research activity under investigation. Any disclosure to other individuals must be authorized by the system manager.

(2) Procedural Safeguards: Access to records is strictly controlled by the system manager and the officials specified under 'Authorized Users.' Individuals who receive disclosures from this system are informed that the information is confidential. They are instructed to address all questions and inquiries from any party either to the system manager or to the appropriate Misconduct Policy Officer for reply. Disclosures to Boards, Councils or review groups are made in sessions which are closed to the public. In addition, PHS staff and others not directly responsible for a potential award may be barred when a Board or Council considers an ALERT case, if they would not have been informed about the case otherwise. Only the PHS Committee on Misconduct in Science or individual PHS agency/level Misconduct Policy Officers, acting on the advice of the system manager, may authorize additions, alterations or deletion of records in this system.

(3) Physical Safeguards: Records are kept in locked file cabinets in offices which are locked when not attended. Special measures, commensurate with the sensitivity of the records, are taken to prevent unauthorized copying or disclosure of records.

These practices are in compliance with the standards of chapter 45-13 of the HHS General Administration Manual and supplementary chapter PHS hf: 45-12.

Retention and disposal:

Records on an investigation in progress are retained until the investigation is completed. If the investigation results in a determination that no misconduct occurred, or that any misconduct was not significant enough to warrant official sanction, the record relating to the investigation is destroyed. If an investigation results in official sanction, a record of such sanction is maintained for the duration of the sanction and is destroyed. Disposal is by burning or shredding.

System manager(s) and address:

Director, Division of Management Survey and Review, National Institutes of Health, Building 31, Room 4C02, 9000 Rockville Pike, Bethesda, MD 20892.

Notification procedure:

Individuals are routinely notified in writing when they become the subject of a record in this system, unless a law enforcement agency has instructed PHS not to do so. Subject individuals are also informed routinely when their records are deleted from the system. Individuals may request notification by writing to the system manager at the address above; provide your full name and state that the inquiry concerns Privacy Act system of records number 09-25-0151.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a fine of not more than five thousand dollars.

Record access procedures:

Individuals may write to the system manager at the address above and provide the same information as required for notification. Requesters should also reasonably specify the record contents being sought. Individuals may also request listings of accountable disclosures that have been made of their records, if any.

Contesting record procedures:

Write to the system manager and reasonably identify the record and the information being contested; and state your reasons for requesting the change, along with supporting information to show that the record is untimely, incomplete, irrelevant or inaccurate.

Record source categories:

Information in these records is obtained from subject individuals, awardee institutions or organizations, PHS agencies and organizations responsible for investigations.

Systems exempted from certain provisions of the act:

None.

09-25-0152

System name:

Biomedical Research: Records of Subjects in National Institute of Dental Research Contracted Epidemiological and Biometric Studies, HHS/NIH/NIDR.

Security classification:

None.

System location:

Records included in this system are collected by contractors and are located in hospitals and clinics; research centers; educational institutions; commercial; local, State and Federal government agencies; and in National Institute of Dental Research (NIDR) facilities. Inactive records may be stored at Federal Records Centers. A list of locations and contracts is available upon request from the System Manager.

Categories of individuals covered by the system:

Voluntary participants in epidemiological and biometric studies sponsored by NIDR, including adults and minors, both male and females, with known or suspected diseases or disorders of the teeth and supporting structures, as well as normal or nonsuspect individuals in control or study groups for purposes of comparison.

Categories of records in the system:

This system consists of medical and dental records and information resulting from personal interviews, questionnaires, or direct observation. The system may also include current addresses of study participants, radiographs, records on biological specimens (e.g., teeth, plaque, etc.), study models, computerized epidemiological data and correspondence.

Authority for maintenance of the system:

Sections 301, Research and Investigations and 422, National Institute of Dental Research, of the Public Health Service Act (42 U.S.C. 241, 288a).

Purpose(s):

This system is used to: 1. Support research on diseases and disorders of the oral cavity (teeth and their supporting structures); their causes and treatment; the incidence and prevalence of these diseases and disorders; and familial, demographic and behavioral factors related to their causes and treatment.

2. Provide data for program review, evaluation, planning, and administrative accountability.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff for the purpose of analyzing data and preparing scientific reports and articles in order to accomplish the research purpose for which the records are collected. The recipients are required to maintain Privacy Act safeguards with regards to such records.

2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

3. A record may be disclosed for a research purpose, when the Department:

(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(B) Has determined that the research purpose, (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(C) Has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the audit, or (d) when required by law;

(D) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

4. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to maintain Privacy Act safeguards with respect records.

5. Disclosure may be made to a congressional office from the record to an individual in response to an inquiry from the congressional office made at the request of the individual.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, magnetic tapes or disks, punched cards, or bound notebooks.

Retrievability:

Information is retrieved by name and/or a participant identification number.

Safeguards:

(1) Authorized Users: Employees who maintain records in this systems are instructed to grant regular access only to contractor personnel; consultants to the contractor; the NIDR project officer; and NIDR employees whose duties require the use of such information. Access to the data controlled by the Project Director, the NIDR Project Officer, and/or the System Manager.

(2) Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

(3) Procedural Safeguards: Names and other identifying particulars are deleted when data from original records is encoded for analysis. Encoded data is indexed by code numbers. Tables linking these code numbers with actual identifiers are maintained separately. Code numbers and identifiers are linked only if there is a specific need. Data stored in computers is accessed through the use of keywords known only to the principal investigators or authorized personnel. These keywords are changed frequently.

The particular safeguards implemented in each project will be developed in accordance with chapter 45–13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS hf. 45–13, Part 6, "ADP Systems Security," of the HHS Information Resources Management Manual.

Retention and disposal:

Records at contractor facilities are retained and disposed of under the authority of the institutional records control schedule. Records at NIDR facilities are retained and disposed of under the authority of the NIH Records Control Schedule (DHHS Records Management Manual, Appendix B–361), item 3000–G–3, which allows records to be kept as long as they are useful in scientific research.

Disposal methods include burning or shredding hard copy and erasing computer tapes and discs.

System manager(s) and address:

Chief, Contract Management Section, Extramural Program, National Institute of Dental Research, Westwood Building, Room 521, 5333 Westbard Avenue, Bethesda, MD 20892.

Notification procedure:

Write to: Privacy Act Coordinator, National Institute of Dental Research, Westwood Building, Room 535, 5333 Westbard Avenue, Bethesda, MD 20892; and provide the following information in writing: 1. Full name at time of participation in the study; 2. Name and description of the study; 3. Location and approximate dates of participation.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five-thousand dollar fine.

An individual who requests notification of, or access to, a medical or dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, the medical record of a child or incompetent person shall designate a family physician or other health professional (other than a family member) to whom the records, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager at the address above. The contestor must reasonably identify the record, specify in writing the information being contested, and state the corrective action sought, and the reason(s) for the corrective action, with supporting justification.

Record source categories:

Information contained in these records is obtained directly from individual participants and from medical/dental and clinical research observations.

Systems exempted from certain provisions of the act:

None.

09–25–0153

System name:

Biomedical Research: Records of Subjects in Biomedical and Behavioral Studies of Child Health and Human Development, HHS/NIH/NICHD.

Security classification:

None.

System location:

Records included in this system are located in hospitals and clinics, research centers, educational institutions, commercial organizations, local and State agencies, and other Executive Branch agencies of the Federal Government under contract to the National Institute of Child Health and Human Development (NICHD), and in NICHD facilities in Bethesda, Maryland. Inactive records may be stored at Federal Records Centers. A list of specific locations and contractors is available upon request from the System Manager, whose address is listed below.

Categories of individuals covered by the system:

Participants in these studies include adults and children (a) who are presently or have been treated by the NICHD, (b) whose physical, genetic, social, economic, environmental, behavioral or nutritional conditions or habits are being studied by the NICHD, or (c) normal volunteers who have agreed to provide control data for purposes of comparison.

Categories of records in the system:

This system consists of a variety of clinical, medical, and statistical information collected in biomedical and behavioral research studies, such as medical histories, vital statistics, personal interviews, questionnaires, current addresses of study participants, radiographs, records on biological specimens, study models, and correspondence from or about participants in these studies.

Authority for maintenance of the system:

Section 301, Research and Investigation, and Section 441, National Institute of Child Health and Human Development, of the Public Health Service Act as amended (42 U.S.C. Sections 241, 298d).

Purpose(s):

This system is used: 1. For program review, evaluation, planning, and administrative management for research on child health and human development; 2. to monitor the incidence, prevalence or development of the disease, condition, behavior, or health status under investigation; 3. to determine the relation of various factors (e.g., social, economic, environmental, physical, and medical) to the occurrence of the disease, condition, development, behavior, or health status under investigation; 4. to identify abnormal disease, condition, or health status and inform the Centers for Disease Control (CDC) or the Food and Drug Administration (FDA) of the existence of such conditions. CDC uses this information in fulfilling its congressionally mandated responsibility for the monitoring of disease and prevention of epidemics. FDA uses this information in carrying out its congressional mandate for controlling certain potentially harmful products.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff for the purpose of analyzing data and preparing scientific reports and articles in order to accomplish the research purpose for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

3. The Department contemplates that it may contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to comply with the requirements of the Privacy Act with respect to such records.

4. Certain infectious diseases are reported to State governments as required by law.

5. A record may be disclosed for a research purpose, when the Department:

(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

7. In the event of litigation where the defendant is: (a) The Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, microfilm, magnetic tapes or disks, punched cards, or bound notebooks.

Retrievability:

Information is retrieved by name and/or a participant identification number.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

(1) Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to contractor personnel; consultants to the contractor; the NICHD project officer; and NICHD employees whose duties require the use of such information. One time and special access to the data is controlled by the System Manager, the NICHD Project Officer, and the Contract and/or Project Director.

(2) Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas.

(3) Procedural Safeguards: Names and other identifying particulars are deleted when data from original records is encoded for analysis. Encoded data is indexed by code numbers. Tables linking these code numbers with actual identifiers are maintained separately. Code numbers and identifiers are linked only if there is a specific need, such as alerting the volunteer subjects to any findings in the study that might affect their health. Data stored in computers is accessed through the use of passwords/keywords known only to the principal investigators or authorized personnel. These passwords/keywords are changed frequently.

The particular safeguards implemented in each project will be developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS hf. 45-13; Part 6, "ADP Systems Security," of the HHS ADP Systems Manual, and the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records are retained and disposed of under the authority of the NIH Records Control Schedule, Manual Chapter 1743 (HHS Records Management Manual, Appendix B-361), item 3000-G-3, which allows records to be kept as long as they are useful in scientific research.

Disposal methods include burning or shredding hard copy and erasing computer tapes and disks.

System manager(s) and address:

Chief, Contracts Management Section, NICHD, Executive Plaza North, Room 610H, 6130 Executive Blvd., North Bethesda, MD 20892.

Notification procedure:

To determine if a record exists, write to:

NICHD Privacy Act Coordinator, Building 31, Room 2A-17, 9000 Rockville Pike, Bethesda, MD 20892, and provide the following information in writing:

1. Full name and address at time of participation in the study.
2. Name or description of the study.
3. Location and approximate dates of participation.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, the medical record of a child or incompetent person shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify his or her relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedure above. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information contained in these records is obtained directly from individual participants, medical and clinical research observations, and other federal agencies.

Systems exempted from certain provisions of the act:

None.

9-25-0154

System name:

Biomedical Research: Records of Subjects in Cancer Studies of the Division of Cancer Prevention and Control, HHS/NIH/NCI.

Security classification:

None.

System location:

National Institutes of Health, Executive Plaza North, Room 343K, 6130 Executive Blvd., Bethesda, MD 20892, and National Institutes of Health, Building 12, 9000 Rockville Pike, Bethesda, MD 20892, and at hospitals, medical schools, universities, research institutions, commercial organizations, collaborating State and Federal Government agencies, and Federal Records Centers. Write to system manager at the address below for the address of current locations.

Categories of individuals covered by the system:

Adults and children in the following categories: Patients with cancer; persons for whom cancer risk can potentially be lowered; and persons without signs or symptoms who may be identified through screening and detection methods as having cancer or being at increased risk of developing cancer. For certain types of epidemiologic studies, e.g., case-control studies, NCI may also collect, for purposes of comparison, records on other persons. These comparison groups could include normal individuals (e.g., family members or neighborhood controls), or other patient groups (e.g., hospital controls) who do not have cancer or are not at a particularly high risk of developing cancer.

Categories of records in the system:

Information identifying participants (such as name, address, Social Security Number), medical records, progress reports, correspondence, epidemiological data, and records on biological specimens (e.g., blood, tumors, urine, etc.).

Authority for maintenance of the system:

Sections 301, Research and Investigation, and Title IV, Part A, National Cancer Institute, of the Public Health Service Act (42 U.S.C. 241, and 281-286).

Purpose(s):

Records in this system will be used, (1) to evaluate cancer control programs, including prevention, screening, detection, diagnosis, treatment, rehabilitation, and continuing care; (2) to identify characteristics of persons who may be particularly susceptible to environmental or occupational factors for substances which cause or prevent cancer, and/or to cancer; (3) to determine risk factors or substances which cause or prevent cancer, and the ways in which they do so; (4) to evaluate statistical and epidemiological methodologies for risk factor assessment, clinical trials, cancer control studies, and the study of the natural history of cancers; (5) to plan for, administer, and review research activities as described in the above purposes; (6) information from this system may be reported to the Food and Drug Administration (FDA) as a condition for approval of clinical investigations of new drugs, or to report adverse effects of drugs so that FDA can make informed decisions on authorizing use of such drugs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors, grantees and collaborating researchers and their staff in order to accomplish the research purposes for which the records are collected. The recipients are required to comply with the requirements of the Privacy Act with respect to such records.

2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

3. The Department contemplates that it may contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor will be required to comply with the requirements of the Privacy Act with respect to such records.

4. A record may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee—for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, microfilm, charts, graphs, computer tapes, disks, and punch cards.

Retrievability:

By name, Social Security Number when supplied voluntarily or contained in existing records used in projects under this system, or other identifying number.

Safeguards:

Measures to prevent unauthorize disclosures are implemented as appropriate for each location and for the particular records maintained in each project. Each site implements personnel, physical and procedural safeguards such as the following:

1. Authorized users: Employees who maintain records in this system are instructed to grant regular access only to physicians, scientists, and support staff of the National Cancer Institute (NCI), or its contractors, grantees or collaborators who need such information in order to contribute to the research or administrative purposes of the system. The system manager specifically authorized one-time and

special access by others on a need-to-know basis consistent with the purposes and routine uses of the system.

2. Physical safeguards: Records are kept in limited access areas. Offices and records storage locations are locked during off-duty hours. Input data for computer files is coded to avoid individual identification. Where possible, information on individual identities is kept separate from data used for analysis.

3. Procedural safeguards: Access to manual files is granted only to authorized personnel, as described above. Access to computer files is controlled through security codes known only to authorized users. Names and other details necessary to identify individuals are not included in data files used for analysis. These files are indexed by code numbers. Code numbers and complete identifiers are linked only if there is a specific need, such as for data verification.

Contractors, grantees or collaborators who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts and in agreements with grantees or collaborators participating in research activities supported by this system. HHS project director, contract officers and project officers oversee compliance with these requirements.

The particular safeguards implemented at each site are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS.hf: 45-13, and part 6, ADP Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

NCI retains research records in accordance with the NIH Records Control Schedule, item 3000-G-3, which allows the system manager to keep the records as long as they are useful in scientific research. Contractors, grantees and collaborators who receive disclosures of records from this system retain the records only as long as necessary to accomplish the purpose for which the disclosures are made. Inactive records may be transferred to a Federal Records Center. Disposal methods include burning hard copy and erasing computer tapes and disks.

System manager(s) and address:

Associate Director, Surveillance Program, DCPC, National Cancer Institute, Executive Plaza North, Room 343K, 6130 Executive Blvd., Bethesda, MD 20892.

Notification procedure:

To determine if a file exists, write to the system manager and provide the following information:

a. System name: "Biomedical Research: Records of Subjects in Cancer Studies of the Division of Cancer Prevention and Control Activities";

b. Complete name at time of participation;

c. Facility and home address at the time of participation;

d. In some cases, where records are retrieved by an identifying number, such as the Social Security Number or Hospital Identification Number, it may be necessary to provide that number. In some cases, to ensure proper identification it may be necessary to provide date(s) of participation (if known), birthdate, or disease type (if known), study name and location (if known).

The requester must also verify his or her identify by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a maximum fine of five thousand dollars.

Individuals seeking notification of or access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual, who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Write to the system manager and provide the same information as requested under the notification procedure above. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures which have been made of your record.

Contesting record procedures:

Write to the system manager, identify the record, and specify the information contested. State the corrective action sought and your reasons for requesting the correction, and provide supporting information to show that the record is inaccurate, incomplete, irrelevant, untimely, or unnecessary.

Record source categories:

HHS agencies, institutions under contract to the U.S. Government, such as universities, medical schools, hospitals, research institutions, commercial institutions, state agencies, other U.S. Government agencies, patients and normal volunteers, physicians, research investigators and other collaborating personnel.

Systems exempted from certain provisions of the act:

None.

09-25-0156

System name:

Records of Participants in Programs and Respondents in Surveys Used to Evaluate Programs of the National Institutes of Health, HHS/NIH/OD.

Security classification:

None.

System location:

This system of records is an umbrella system comprising separate sets of records located either in the organizations responsible for conducting evaluations or at the sites of programs or activities under evaluation. Locations include National Institutes of Health (NIH) facilities in Bethesda, Maryland, or facilities of contractors of the NIH. Write to the appropriate System Manager below for a list of current locations.

Categories of individuals covered by the system:

Individuals covered by this system are those who provide information or opinions that are useful in evaluating programs or activities of the NIH, other persons who have participated in or benefited from NIH programs or activities; or other persons included in evaluation studies for purposes of comparison. Such individuals may include (1) participants in research studies; (2) applicants for and recipients of grants, fellowships, traineeships or other awards; (3) employees, experts and consultants; (4) members of advisory committees; (5) other researchers, health care professionals, or individuals who have or are at risk of developing diseases or conditions studied by NIH; (6) persons who provide feedback about the value or usefulness of information they receive about NIH programs, activities or research results; (7) persons who have received Doctorate level degrees from U.S. institutions.

Categories of records in the system:

This umbrella system of records covers a varying number of separate sets of records used in different evaluation studies. The categories of records in each set depend on the type of program being evaluated and the specific purpose of the evaluation. In general, the records contain two types of information: (1) Information identifying subject individuals, and (2) information which enables NIH to evaluate its programs and services.

(1) Identifying information usually consists of a name and address, but it might also include a patient identification number, grant number, Social Security Number, or other identifying number as appropriate to the particular group included in an evaluation study.

(2) Information used for evaluation varies according to the program evaluated. Categories of evaluative information include personal data and medical data on participants in clinical and research programs; personal data, publications, professional achievements and career history of researchers; and opinions and other information received directly from individuals in evaluation surveys and studies of NIH programs.

The system does not include any master list, index or other central means of identifying all individuals whose records are included in the various sets of records covered by the system.

Authority for maintenance of the system:

Authority for this system comes from the authorities regarding the establishment of the National Institutes of Health, its general authority to conduct and fund research and to provide training assistance, and its general authority to maintain records in connection with these and its other functions (42 U.S.C. 203, 241, 2891-1 and 44 U.S.C. 3101).

Purpose(s):

This system supports evaluation of the policies, programs, organization, methods, materials, activities or services used by NIH in fulfilling its legislated mandate for (1) conduct and support of biomedical research into the causes, prevention and cure of diseases; (2) support for training of research investigators; (3) communication of biomedical information.

This system is not used to make any determination affecting the rights, benefits or privileges of any individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HHS contractors and collaborating researchers, organizations, and State and local officials for the purpose of conducting evaluation studies or collecting, aggregating, processing or analyzing records used in evaluation studies. The recipients are required to protect the confidentiality of such records.
2. Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.
3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
4. The Department may disclose information from this system of records to the Department of Justice, to court or other tribunal, or to another party before such tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Data may be stored in file folders, bound notebooks, or computer-accessible media (e.g., magnetic tapes or discs).

Retrievability:

Information is retrieved by name and/or participant identification number within each evaluation study. There is no central collection of records in this system, and no central means of identifying individuals whose records are included in the separate sets of records that are maintained for particular evaluation studies.

Safeguards:

A variety of safeguards is implemented for the various sets of records in this system according to the sensitivity of the data each set contains. Information already in the public domain, such as titles and dates of publications, is not restricted. However, sensitive information, such as personal or medical history or individually identified opinions, is protected according to its level of sensitivity. Records derived from other systems of records will be safeguarded at a level at least as stringent as that required in the original systems. Minimal safeguards for the protection of information which is not available to the general public include the following:

1. Authorized Users: Regular access to information in a given set of records is limited to NIH or to contractor employees who are conducting, reviewing or contributing to a specific evaluation study. Other access is granted only on a case-by-case basis, consistent with the restrictions required by the Privacy Act (e.g., when disclosure is required by the Freedom of Information Act), as authorized by the system manager or designated responsible official.
2. Physical Safeguards: Records are stored in closed or locked containers, in areas which are not accessible to unauthorized users, and in facilities which are locked when not in use. Records collected in each evaluation project are maintained separately from those of other projects. Sensitive records are not left exposed to unauthorized persons at any time. Sensitive data in machine-readable form may be encrypted.
3. Procedural Safeguards: Access to records is controlled by responsible employees and is granted only to authorized individuals whose identities are properly verified. Data stored in computers is accessed only through the use of keywords known only to authorized personnel. Contracts for operation of this system of records require protection of the records in accordance with these safeguards; NIH project and contracting officers monitor contractor compliance.

These practices are in compliance with the standards of chapter 45-13 of the HHS General Administration Manual, supplementary chapter PHS hf: 45-13, and Part 6, Systems Security, of the HHS ADP Systems Manual.

Retention and disposal:

Studies, analyses, reports, and statistical compilations created or collected in evaluation of NIH mission-related activities are scheduled for permanent retention by the National Archives as part of the historical record of the NIH, as provided by the NIH Records Control Schedule, section 1100-C-2. Working papers, extra copies, or records not used in evaluations of major programs of the NIH or any of its Bureaus, Institutes or Divisions are destroyed no later than 5 years after completion of the evaluation study (NIH Records Control Schedule, items 1100-C-12d, 1100-C-14b, 1100-C-15b). Policy coordination for this system is provided by:

Director, Division of Planning and Evaluation, National Institutes of Health, Building 31, Room 4B25, 9000 Rockville Pike, Bethesda, MD 20892.

System manager(s) and address:

See Appendix 1.

Notification procedure:

To determine if a record exists, write to the official of the organization responsible for the evaluation, as listed in Appendix 2. If you are not certain which component of NIH was responsible for the evaluation study, or if you believe there are records about you in several components of NIH, write to NIH Privacy Act Coordinator, Building 31, Room 3B07, 9000 Rockville Pike, Bethesda, MD 20892.

Requesters must provide the following information:

1. Full name;
2. Name and location of the evaluation study or other NIH program in which the requester participated or the institution at which the requester was a student or employee, if applicable; and
3. Approximate dates of participation, matriculation or employment, if applicable.

The requester must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing, a responsible representative, who may be a physician, other health professional, or other responsible individual, who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or incompetent person as well as his or her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. You may also request a list of accountable disclosures that have been made of your record.

Contesting record procedures:

Write to the official specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Information contained in these records is obtained directly from individual participants; from systems of records 09-25-0036, "Grants: IMPAC (Grants/Contract Information), HHS/NIH/DRG;" 09-25-0112, "Grants: Research, Research Training, Fellowship and Construction Applications and Awards, HHS/NIH/OD"; NSF-6, "Doctorate Record File", NSF-43, "Doctorate Work History File" (previously entitled "NSF-43, Roster and Survey of Doctorate Holders in The United States" and other records maintained by the operating programs of NIH; the National Academy of Sciences and other contractors; grantees or collaborating researchers; or publicly available sources such as bibliographies.

Systems exempted from certain provisions of the act:

None.

Appendix 1: System managers

National Institutes Health, Office of the Director, Director, Division of Planning and Evaluation, Building 31, Room 4B25, 9000 Rockville Pike, Bethesda, MD 20892

National Heart, Lung and Blood Institute (NHLBI), Director, Office of Program Planning & Evaluation, Building 31, Room 5A03, Bethesda, MD 20892

National Library of Medicine (NLM), Special Assistant for Operations Research, Office of the Director, Building 38, Room 2S18, Bethesda, MD 20892

National Eye Institute (NEI), Associate Director for Program Planning, Analysis and Evaluation, Building 31, Room 6A25, Bethesda, MD 20892

National Cancer Institute (NCI), Public Health Educator, OCC, NCI, National Institutes of Health, Building 31, Room 4B43, Bethesda, MD 20892

National Institute on Aging (NIA), Chief, Office of Planning, Analysis, Technical Information and Evaluation, Federal Building, Room 6A09, 7550 Wisconsin Avenue, Bethesda, MD 20892

National Institute of Allergy and Infectious Diseases (NIAID), Chief, Information Technology and Evaluation Branch, Office of Administrative Management, Building 31, Room 7A17, Bethesda, MD 20892

National Institute of Child Health and Human Development (NICHD), Chief, Office of Planning and Evaluation, Building 31, Room 2A10, Bethesda, MD 20892

National Institute of Dental Research (NIDR), Chief, Office of Planning, Evaluation Section, Building 31, Room 2C36, Bethesda, MD 20892

National Institute of Environmental Health Sciences (NIEHS) Program, Analyst, Office of Program Planning and Evaluation, P.O. Box 12233, Research Triangle Park, NC 27709

National Institute of General Medical Sciences (NIGMS), Associate Director for Evaluation, Westwood Building, Room 9A18, 5333 Westbard Avenue, Bethesda, MD 20892

Fogarty International Center (FIC), National Institutes of Health, Assistant Director for Planning and Evaluation, Building 38A, Room 607, Bethesda, MD 20892

Division of Research Grants (DRG), Assistant Director for Special Projects, Westwood Building, Room 457, 5333 Westbard Avenue, Bethesda, MD 20892

Division of Research Resources (DRR), Evaluation Officer, Office of Program Planning and Evaluation, NIH, Building 31, Room 5B54, Bethesda, MD 20892

National Center for Nursing Research (NCNR), Chief, Office of Program Planning and Evaluation, Building 38, Room B2E17, Bethesda, MD 20892

Appendix 2: Notification and access officials

NIH, Office of the Director, Associate Director for Science, Policy and Legislation, Building 1, Room 137, 9000 Rockville Pike, Bethesda, MD 20892

National Heart, Lung and Blood Institute (NHLBI), Privacy Act Coordinator, Building 31, Room 5A29, Bethesda, MD 20892

National Library of Medicine (NLM), Special Assistant for Operations Research, Office of the Director, Building 38, Room 2S18, Bethesda, MD 20892

National Eye Institute (NEI), Executive Officer, Building 31, Room 6A25, Bethesda, MD 20892

Fogarty International Center (FIC), Assistant Director for Planning and Evaluation, Building 38A, Room 607, Bethesda, MD 20892

Division of Research Grants (DRG), Assistant Director for Special Projects, Westwood Building, Room 457, 5333 Westbard Avenue, Bethesda, MD 20892

Division of Research Resources (DRR), Program Analyst, Office of Program Planning and Evaluation, Building 31, Room 5B54, Bethesda, MD 20892

National Cancer Institute, Privacy Act Coordinator, National Institutes of Health, Building 31, Room 10A30, Bethesda, MD 20892

09–25–0158

System name:

Administration: Records of Applicants and Awardees of the NIH Intramural Research Training Awards Program, HHS/NIH/OD.

Security classification:

None.

System location:

Office of the Associate Director for Intramural Affairs, National Institutes of Health, Building 1, Room 103, 9000 Rockville Pike, Bethesda, MD 20892. And at locations in each of the intramural offices and laboratories where the Intramural Research Training Awards (IRTA) Fellow is located and assigned, including the respective Scientific Director's office, the administrative and personnel offices, and in Division of Personnel Management branches responsible for administering the IRTA Program.

Categories of individuals covered by the system:

Applicants for IRTA Fellowships, current IRTA Fellows, and former IRTA Fellows.

Categories of records in the system:

These records contain information relating to education and training, employment history, scientific publications; research goals; letters of reference; and personal information such as name, date of birth, Social Security number, home address and citizenship; and information related to fellowship awards such as stipend levels, training assignments, training expenses and travel allowances.

Authority for maintenance of the system:

42 USC 284(b)(1)(C) authorizes PHS to make awards for biomedical research and research training.

Purpose(s):

Records in this system are used to determine individual's eligibility and evaluate their qualifications for IRTA Fellowships; to document the basis for management actions relating to Fellowships that are awarded; and to provide data for program evaluation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

(1) The Office of Personnel Management for evaluation of NIH Personnel programs;

(2) A congressional office from the record of an individual in response to an inquiry from the congressional office made at the written request of that individual;

(3) The Department of Justice or to a court or other tribunal from this system of records, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case HHS determines that such disclosure is compatible with the purpose for which the records were collected;

(4) A Federal, State or local agency maintaining civil, criminal or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the selection or retention of a fellow; and

(5) A Federal agency, in response to its request, in connection with hiring or retention of an employee, the issuance of a security clearance, an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, and on magnetic tapes and disks.

Retrievability:

Records are retrieved by name, Social Security number, or institute list number.

Safeguards:

(1) Authorized Users: Access is granted only to NIH scientists, administrative office staff, personnel staff and financial management staff directly involved in the administration of the IRTA Program.

(2) Physical Safeguards: File folders are kept in locked drawers or locked rooms when system personnel are not present.

(3) Procedural Safeguards: Access to file folders is controlled by system personnel. Records may be removed from the files only with the approval of the system manager or other authorized employees. Data stored in the automated system is accessed through the use of keywords known only to authorized personnel.

These practices are in compliance with the standards of chapter 45-13 of the HHS General Administration Manual, Supplementing chapter PHS. hf: 45-13, and Part 6, "ADP Systems Security" of the HHS Information Resources Management Manual.

Retention and disposal:

Manual records of individuals who receive IRTA Fellowships are retained while the fellowship is active and for 3 years after the fellowship terminates. Manual records of the individuals who do not receive fellowships may be retained for up to four months from the date of receipt. Manual records are disposed of by burning or shredding.

Computer records may be kept indefinitely for program evaluation purposes.

System manager(s) and address:

Associate Director for Intramural Affairs, NIH, Building 1, Room 103, 9000 Rockville Pike, Bethesda, Maryland 20892.

Notification procedure:

Write to the System Manager to determine if a record exists. The requestor must also verify his or her identity by providing either a notarization of the request or a written certification that the requester is who he or she claims to be and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act, subject to a five thousand dollar fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. A list of accountable disclosures that have been made of your record may be disclosed.

Contesting record procedures:

Write to the official specified under the notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is untimely, incomplete, irrelevant or inaccurate.

Record source categories:

Applicants, persons and institutions supplying references.

Systems exempted from certain provisions of the act:

None.

09-25-0160

System name:

United States Renal Data System (USRDS), HHS/NIH/NIDDK.

Security classification:

None.

System location:

Records are located at contractor operated coordinating center. Write to the System manager at address below for address of current location.

U.S. Renal Data System, Coordinating Center (CC), 2100 M Street, NW, Suite 400, Washington, DC 20037.

Categories of individuals covered by the system:

Persons with end-stage renal disease (ESRD), providers of ESRD services.

Categories of records in the system:

Health and medical record data; fiscal information; patient names, social security number, Health Care Financing Administration (HCFA) beneficiary ID, patient demographic, epidemiologic and survival characteristics; physician provider characteristics; facility provider characteristics.

Authority for maintenance of the system:

42 USC 241a, 289c, as last amended by Pub. L. 100-607, November 4, 1988 under the Health Omnibus Programs Extension of 1988.

Purpose(s):

(1) To design and implement a consolidated renal disease system that will provide the biostatistical, data management and analytical expertise necessary to characterize the total renal patient population and describe the distribution of patients by sociodemographic variables across treatment modalities.

(2) To report on the incidence, prevalence, and mortality rates of renal disease by primary diagnosis.

(3) To identify the modalities of treatment best suited to individual patients. To compare the various treatment alternatives to examine the prevention and progression of renal disease by morbidity, mortality, and quality of life criteria.

(4) To identify problems and opportunities for more focused investigations of renal research issues currently unaddressed by the consolidated data system.

(5) To share data with other PHS agencies and HCFA for their use in research analysis and program administration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure from the record of an individual may be made to:

(1) The Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her official capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

(2) A Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the written request of the individual.

(3) To the HHS contractor for the purpose of collating, analyzing, aggregating or otherwise refining or processing records in this system for developing, modifying and/or manipulating ADP software. Data would also be disclosed to contractors incidental to consultation, programming, operation, user assistance, or maintenance for an ADP or telecommunications systems containing or supporting records in the system. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(4) A record may be disclosed for a research purpose, when the Department:

(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(B) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(C) Has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except—(a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;

(D) Has secured a written statement attesting to the recipients understanding of, and willingness to abide by these provisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Electronic medium; selected hard copy backup.

Retrievability:

Information will be retrieved by patient identification number such as social security number and HCFA beneficiary ID. Individual patient data provided only as noted above. Statistical data provided as noted above and to the general public as part of periodic published reports.

Safeguards:

A variety of safeguards are implemented for the various sets of records in this system according to the sensitivity of the records.

Authorized users: Regular access is limited to National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), HCFA and contract personnel who have a need for the data in performance of their duties as determined by the system manager.

Physical security: Records are stored in areas where access is restricted to areas where data are maintained and processed; data tapes and hard copy data are stored in locked files in secured areas; terminal access controlled by user ID and keywords; offsite data backups in two locations—a remote area of the same building and a separate building; and fire protection secured by Halon fire extinguisher system and fire alarm system present in the computer room.

Procedural safeguards: Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the

Privacy Act. Privacy Act requirements are specifically included in contracts and in agreements with grantees or collaborators participating in research activities supported by this system. HHS project directors, contract officers, and project officers oversee compliance with these requirements.

Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administrative Manual, and Part 6, "ADP System Security" in the HHS Information Resource Management Manual.

Retention and disposal:

Records will be retained according to Section 3000-G-3(b) of the NIH Record Control Schedule which allows the principal investigator or the project leader to determine that the record is no longer useful for research purposes.

System manager(s) and address:

Epidemiology Program Director, DKUHD, National Institute of Diabetes and Digestive and Kidney Diseases, Division of Kidney, Urologic and Hematologic Diseases, 5333 Westbard Avenue, Westwood Building, Room 621, Bethesda, Maryland 20892.

Notification procedure:

To determine if a record exists, write to the System Manager at the address noted above. Provide notarized signature as proof of identity. The request should include as much of the following information as possible: (a) Full name; (b) title of project individual participated in; and (c) approximate dates of participation.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the System Manager at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information contained in this system is from the Health Care Financing Administration—Medicare and ESRD patient program records, Veterans Administration ESRD patient records, the Census, NIH Continuous Ambulatory Peritoneal Dialysis (CAPD) Registry, Indian Health Service ESRD patient records, United Network of Organ Sharing (UNOS) transplant patient records and the National Death Index.

Systems exempted from certain provisions of the act:

None.

Effective date: January 26, 1990.

Appendix 1—System Managers

NIH, Office of the Director: Chief, Program Evaluation Branch, OPPE, NIH, Building 1, Room 234, 9000 Rockville Pike, Bethesda, MD 20892

National Heart, Lung and Blood Institute (NHLBI): Director, Office of Program Planning & Evaluation, NHLBI, NIH, Building 31, Room 5A03, Bethesda, MD 20892

National Library of Medicine (NLM): Special Assistant for Operations Research, Office of the Director, NLM, NIH, Building 38, Room 2S18, Bethesda, MD 20892

National Eye Institute (NEI): Associate Director for Program Planning, Analysis and Evaluation, NEI, NIH, Building 31, Room 6A25, Bethesda, MD 20892

National Institute on Aging (NIA): Evaluation Officer, NIA, NIH, Building 31, Room 5C11, Bethesda, MD 20892

National Institute of Allergy and Infectious Diseases (NIAID), Chief, Planning and Program Analysis Branch, OAM, Building 31, Room 7A16, Rockville Pike, Bethesda, MD 20892

National Institute of Child Health and Human Development (NICHD): Chief, Office of Planning and Evaluation, NICHD, NIH, Building 31, Room 2A10, Bethesda, MD 20892

National Institute of Dental Research (NIDR), Chief, Planning and evaluation sections, Building 31, Room 2036, Bethesda, MD 20892

National Institute of Environmental Health Sciences (NIEHS): Program Analyst, Office of Program Planning and Evaluation, National Institute of Environmental Health Sciences, P.O. Box 12233, Research Triangle Park, N.C. 27709

National Institute of General Medical Sciences (NIGMS): Associate Director for Evaluation, NIGMS, Westwood Building Room 9A18, 5333 Westbard Avenue, Bethesda, MD 20892

Fogarty International Center (FIC): Assistant Director for Planning and Evaluation, FIC, NIH, Building 38A, Room 607, Bethesda, MD 20892

Division of Research Grants (DRG): Assistant Director for Special Projects, DRG, Westwood Building, Room 457, National Institutes of Health, Bethesda, MD 20892

Division of Research Resources: Program Analyst, Office of Program Planning and Evaluation, DRR, NIH, Building 31, Room 5B54, Bethesda, MD 20892

Appendix II—Notification and access officials

NIH, Office of the Director: Chief, Program Evaluation Branch, OPPE, NIH, Building 1, Room 234, 9000 Rockville Pike, Bethesda, MD 20892

National Heart, Lung and Blood Institute (NHLBI): Privacy Act Coordinator, NHLBI, NIH, Building 31, Room 5A29, Bethesda, MD 20892

National Library of Medicine (NLM): Special Assistant for Operations Research, Office of the Director, NLM, NIH, Building 38, Room 2S18, Bethesda, MD 20892

National Eye Institute (NEI): Executive Officer, NEI, NIH, Building 31, Room 6A25, Bethesda, MD 20892

National Institute on Aging (NIA): Evaluation Officer, NIA, NIH, Building 31, Room 5C11, Bethesda, MD 20892

National Institute of Allergy and Infectious Diseases (NIAID): Chief, Evaluation Section, Office of Program Planning and Evaluation, NIAID, NIH, Building 31, Room 7A19, Bethesda, MD 20892

National Institute of Child Health and Human Development (NICHD): Chief, Office of Planning and Evaluation, NICHD, NIH, Building 31, Room 2Al0, Bethesda, MD 20892

National Institute of Dental Research (NIDR), Chief, Planning and Evaluation Section, Building 31, Room 2C36, Bethesda, MD 20892

National Institute of Environmental Health Sciences (NIEHS): Program Analyst, Office of Program Planning and Evaluation, National Institute of Environmental Health Sciences, P.O. Box 12233, Research Triangle Park, N.C. 27709

National Institute of General Medical Sciences (NIGMS): Privacy Act Coordinator, NIGMS, NIH, Building 31, Room 4A52, Bethesda, MD 20892

Fogarty International Center (FIC): Assistant Director for Planning and Evaluation, FIC, NIH, Building 38A, Room 607, Bethesda, MD 20892

Division of Research Grants (DRG): Assistant Director for Special Projects, DRG, Westwood Building, Room 457, National Institutes of Health, Bethesda, MD 20892

Division of Research Resources: Program Analyst, Office of Program Planning and Evaluation, DRR, NIH, Building 31, Room 5B54, Bethesda, MD 20892

Centers for Disease Control

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09-20-0000

System name:

Cooperative Mycoses Study, HHS/CDC/CID.

Security classification:

None.

System location:

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

Adults and children who were infected with histoplasmosis, blastomycosis, coccidioidomycosis, aspergillosis, and other miscellaneous fungal infections, and who participated in the cooperative mycoses study conducted between 1947 and 1973 at the former CDC Kansas City Field Station, Ecological Investigations Division, Kansas City, KS.

Categories of records in the system:

Medical records and related papers.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

The study was to evaluate the treatment of systemic fungal diseases by the U.S. Public Health Service and clinicians in selected hospitals and sanitoriums.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All records are stored in file folders and approved FRC boxes at the Federal Records Center.

Retrievability:

Records are indexed and retrieved by name.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of researchers and designated support staff of the Centers for Disease Control (CDC), the CDC Records Officer, and FRC officials, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained at the Federal Records Center until 20 years old and are then destroyed by paper recycling process, unless needed for further study.

System manager(s) and address:

Director, Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual medical records of patients in participating hospitals and sanitoriums.

Systems exempted from certain provisions of the act:

None.

09-20-0001

System name:

Certified Interpreting Physician File, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Data are also occasionally located at contractor sites as studies are developed, data collected, and reports written. A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Physicians who have been certified to interpret X-rays under the Federal Mine Health and Safety Act of 1977.

Categories of records in the system:

Qualifications of physicians.

Authority for maintenance of the system:

Federal Mine Health and Safety Act of 1977, Section 501, "Research" (30 U.S.C. 951).

Purpose(s):

The main purpose is to provide certified physicians to read X-rays. Data is provided to the Social Security Administration to be used in approving Title IV benefits under the Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Name and address supplied to coal operators and X-ray facilities so that they may contact physicians to do work for them.

Name, address and Social Security number supplied to Department of Labor to be used in approving Title IV Benefits under the Act.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes/disks and printouts, microfilm.

Retrievability:

Name and/or social security number, supplied on a voluntary basis are the indices used to retrieve records.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC) or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening and escorting of visitors, a limited access, secured computer room with fire extinguishers and overhead sprinkler system, computer terminals and automated records located in secured areas.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, and frequently changed passwords. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records are retained indefinitely unless disposal of a record is requested by the individual physician. Disposal methods include erasing computer tapes, burning or shredding printouts or transferring records to the Federal Records Center.

System manager(s) and address:

Administrative Officer, Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0027

System name:

Radiation Exposure Records for NIOSH Employees, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505 and

Office of Administrative and Management Services, CP Bldg., Rm. 119, NIOSH, Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Data are also occasionally located at contractor sites, as studies are developed, data collected, and reports written. A list of contractor sites, where individually identifiable data are currently located, is available upon request to the system manager.

Categories of individuals covered by the system:

Present and past NIOSH employees.

Categories of records in the system:

X-ray exposure levels.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 19, "Programs of Federal Agencies" (29 U.S.C. 668).

Purpose(s):

The purpose of this system is to maintain X-ray exposure records to prevent toxic exposure to harmful rays.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files, computer tapes/disks and printouts.

Retrievability:

Name is the index used to retrieve records from this system.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC) or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening and escorting of visitors, a limited access, secured computer room with fire extinguishers and overhead sprinkler system, computer terminals and automated records located in secured areas.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, and frequently changed passwords. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Record copy maintained in agency for three years in accordance with retention schedules. Source documents disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials, erasing computer tapes or transferring records to the Federal Records Center. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505 and

Safety Officer, Office of Administrative and Management Services, NIOSH, Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Policy coordination provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0055

System name:

Administrative Files for Research/Demonstration and Training Grants, and Cooperative Agreements Applications, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Research Grants, National Institutes of Health (NIH), Westbard Bldg., Westbard Avenue, Bethesda, Maryland 20014

Grants Management Office, Procurement and Grants Office, Buckhead Bldg., Rm. 300, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Grants Program Activity, Office of the Director, National Institute for Occupational Safety and Health (NIOSH), Bldg. 1, Rm. 3053, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Division of Training and Manpower Development, Division of Biomedical and Behavioral Science, Division of Physical Science and Engineering, and Division of Surveillance, Hazard Evaluations, and Field Studies, NIOSH, 4676 Columbia Parkway, Cincinnati, Ohio 45226

Division of Respiratory Disease Studies and Division of Safety Research, NIOSH, 944 Chestnut Ridge Road, Morgantown, WV 26505

Federal Records Center, 4205 Suitland Road, Suitland, Maryland 20409, and 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Data are also occasionally located at grantee sites as studies are developed, data collected, and reports written. A list of grantee sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Applicants for occupational safety and health research and demonstration grants, and training grants.

Categories of records in the system:

Draft and final grant application and review history, awards, financial records and progress reports and related correspondence.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 20, "Research and Related Activities" and Section 21, "Training and Employee Education" (29 U.S.C. 669, 670).

Purpose(s):

The purpose of this system is to review grant applications for research and training and to administer funded grants. This information is provided to the National Institutes of Health and to components of the Centers for Disease Control (CDC) including NIOSH for review.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referrals may be made of assignments of research investigators and project monitors on specific research projects to the National Technical Information Service (NTIS), Department of Commerce, to contribute to the Smithsonian Science Information Exchange.

To the cognizant audit agency for auditing.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

To qualified experts not within the definition of Department employees as prescribed in Department regulations for opinions as a part of the application review process.

To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant, cooperative agreement, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

To individuals and organizations deemed qualified by PHS to carry out specific research related to the review and award processes of PHS.

To the grantee institution relative to performance or administration under the terms and conditions of the award.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

5x8 cards, computer tapes/discs and printouts, notebooks, and file folders.

Retrievability:

Name is the index used to retrieve information.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.

4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Mangement Regulations, subchapter B—Archives and Records.

Retention and disposal:

Approved and funded applications are kept for one year beyond closeout, and then sent to the Federal Records Center (FRC) for 10 years, after which time they are destroyed. Unsuccessful applications are retained for up to 2 years at the agency, and then sent to the FRC for 10 years. Draft applications are kept for one year or until an official application is received (at which time the draft is destroyed). Disposal methods include the paper recycling process, burning or shredding paper materials, and erasing computer tapes.

System manager(s) and address:

Grants Management Officer, Procurement and Grants Office, Buckhead Bldg., Rm. 300, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Associate Director for Grants, Grants Program Activity, Office of the Director, NIOSH, Bldg. 1, Rm. 3053, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the appropriate system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either

(1) submit a notarized request to verify their identify or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0059

System name:

Division of Training Mailing List, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Training and Manpower Development (DTMD), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Data are also occasionally located at contractor sites as studies are developed, data collected, and reports written. A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Persons who have taken a NIOSH training course or who ask to be placed on the list.

Categories of records in the system:

Names and addresses.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 21, "Training and Employee Education" (29 U.S.C. 670).

Purpose(s):

The purpose of this system is to advise prospective students of upcoming NIOSH training courses.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes/disks and printouts, addressograph plates.

Retrievability:

Name and student number are the indices used to retrieve records from this system.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC) or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, a limited access, secured computer room with fire extinguishers and overhead sprinkler system, computer terminals and automated records located in secured areas.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, and frequently changed passwords. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager. Disposal methods include erasing computer tapes and burning or shredding paper materials.

System manager(s) and address:

Audio Visual Production Officer, Division of Training and Manpower Development (DTMD), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identify or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0089

System name:

Studies of Treatment of Tuberculosis and other Mycobacterioses, HHS/CDC/CPS.

Security classification:

None.

System location:

Division of Tuberculosis Control, Freeway Office Park, Rooms 145-149, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333 and

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identified data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Adults and children with tuberculosis or other mycobacterial diseases having been or currently being treated or observed by a limited number of participating local or county health departments, clinics, and hospitals (from 1959 until the present time), including those individuals in selected areas receiving isoniazid therapy or BCG vaccinations, and patients for whom routine tuberculosis treatment is ineffective. Also included are contacts to tuberculosis patients, adults with inactive tuberculosis, and controls.

Categories of records in the system:

Abstracts of medical data pertaining to clinical trials, including medical history, skin tests, physical examinations, laboratory test results, X-ray results, medications prescribed, smoking habits, etc.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

To determine the effectiveness and safety of a variety of treatments and preventive measures for tuberculosis and other mycobacterial diseases, to determine the best measures against drug resistant tuberculosis, and to monitor incidence of complications among individuals who have received preventive therapy, including isoniazid.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to health departments and other public health or cooperating medical authorities in connection with program activities and related collaborative efforts to deal more effectively with diseases and conditions of public health significance.

A record may be disclosed for a research purpose, when the department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

The Department is under contract with private firms for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records are maintained by the contractors. The contractors are required to maintain Privacy Act safeguards with respect to such records.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards, file folders, computer tapes/disks and printouts.

Retrievability:

Records are retrieved by the participant's name and/or study I.D. number.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for five years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Tuberculosis Control, Center for Prevention Services, Freeway Office Park, Rm. 111, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals, state and local health departments, hospitals, laboratories, clinics, and family members of study participants.

Systems exempted from certain provisions of the act:

None.

09-20-0090

System name:

Studies of Testing for Tuberculosis and other Mycobacterioses, HHS/CDC/CPS.

Security classification:

None.

System location:

Division of Tuberculosis Control, Center for Prevention Services, Freeway Office Park, Rms. 127, 137, 142, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333 and

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

Study participants include patients, clientele, and employees of local and county health departments, hospitals, and other institutions currently observing and/or treating cases of tuberculosis and other mycobacterial diseases. Participants include adults and children.

Categories of records in the system:

Medical records.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

To study the diagnostic value of tests used to identify persons infected with M. tuberculosis or sensitized by other mycobacteria. These records may also be used by the Food and Drug Administration in conducting research related to Investigational New Drugs (IND).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Test results will be returned to the collaborating physician or responsible hospital official.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards, file folders, computer tapes/disks and printouts.

Retrievability:

Records are retrieved by name and I.D. number.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for five years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Tuberculosis Control, Center for Prevention Services, Freeway Office Park, Rm. 111, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals and hospitals.

Systems exempted from certain provisions of the act:

None.

09-20-0096

System name:

Records of Tuskegee Study Health Benefit Recipients, HHS/CDC/CPS.

Security classification:

None.

System location:

Center for Prevention Services, 1600 Freeway Office Park, Rm. 311, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

Adult participants in the study and their family members.

Categories of records in the system:

Medical records.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

To determine eligibility and provide medical benefits for participants and qualified family members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record may be disclosed for a research purpose, when the Department:(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;(B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;(C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;(D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

Records may be disclosed to health departments and other public health or cooperating medical authorities in connection with program activities and related collaborative efforts to deal more effectively with diseases and conditions of public health significance.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Records are retrieved alphabetically by name.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, electronic anti-intrusion devices in operation at the Federal Records Center, 24-hour guard service in buildings, personnel screening of visitors.

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for five years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records are to be maintained permanently.

System manager(s) and address:

Director, Center for Prevention Services, Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Participants and family members of participants entitled to medical care; Social Security Administration for Medicare information; and State welfare departments for information on Medicaid.

Systems exempted from certain provisions of the act:

None.

09-20-0102

System name:

Alien Mental Waiver Program, HHS/CDC/CPS.

Security classification:

None.

System location:

Visa Medical Activity, Division of Quarantine, Center for Prevention Services, 1644 Freeway Office Park, Room 1323, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

Immigrant aliens with waivers of excludability who are mentally retarded or who have had one or more attacks of insanity.

Categories of records in the system:

Medical history files.

Authority for maintenance of the system:

Public Health Service Act, Section 325, "Examination of Aliens" (42 U.S.C. 252); Immigration and Nationality Act, Section 212(g), "Application for Waiver of Grounds of Excludability" (8 U.S.C. 1182(g)).

Purpose(s):

To comply with the requirements of Section 212(g) of the Immigration and Nationality Act, the Centers for Disease Control (CDC) must receive and maintain medical records on aliens who apply for waivers of excludability due to mental retardation or a previous attack of insanity. CDC is furnished with a copy of the alien's medical examination report and psychiatric/psychological evaluation and uses the information to process the initial applications for such waivers and for periodic medical surveillance and evaluation of individual cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of State (DOS) or Immigration and Naturalization Service (INS) obtains initial medical examinations and submits to the Division of Quarantine, CDC. Final diagnosis returned to submitter. Alien or sponsor furnishes copy of medical file to local health care facility in the United States.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Individual file folders.

Retrievability:

Records are retrieved by name.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of personnel, i.e., program manager and immediate staff members, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, electronic anti-intrusion devices in operation at the Federal Records Center.

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for six years. Disposal methods include burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 10 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Quarantine, Center for Prevention Services, Freeway Office Park, Rm. 201, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's or mentally incompetent person's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child or mentally incompetent person by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Prior to alien's arrival in the U.S., medical information supporting the diagnosis of mental retardation or other mental disorders is submitted by Department of State and/or Justice Department (INS); after arrival, mental status evaluations submitted by medical specialists, schools, or institutions.

Systems exempted from certain provisions of the act:

None.

09-20-0103

System name:

Alien Tuberculosis Followup Program, HHS/CDC/CPS.

Security classification:

None.

System location:

Visa Medical Activity, Division of Quarantine, Center for Prevention Services, 1644 Freeway Office Park, Room 1327, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Categories of individuals covered by the system:

Immigrant aliens with tuberculosis.

Categories of records in the system:

Medical history.

Authority for maintenance of the system:

Public Health Service Act, Section 325, "Examination of Aliens" (42 U.S.C 252); Immigration and Nationality Act, Section 212(g), "Application for Waiver of Grounds of Excludability" (8 U.S.C. 1182(g)).

Purpose(s):

To provide a record system for the surveillance and periodic medical evaluation of immigrant aliens with tuberculosis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to State health departments, city health departments or the courts, private physicians or other health care facilities that will provide medical care for the immigrant alien.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Card files, computer tapes/disks and printouts.

Retrievability:

Records are retrieved by name, Alien Registration Number, and by year of birth.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Card files are maintained in agency for two years. Destroyed by paper recycling process after 2 years. Computer file maintained 4 years at CDC. Records destroyed by erasing tape after 4 years.

System manager(s) and address:

Director, Division of Quarantine, Freeway Office Park, Rm. 201, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information obtained from alien's visa medical documents at port of entry by Quarantine Inspectors.

Systems exempted from certain provisions of the act:

None

09-20-0106

System name:

Specimen Handling for Testing and Related Data, HHS/CDC/CID.

Security classification:

None.

System location:

Center for Infectious Diseases, Bldg. 4, Rm. B-35, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

San Juan Laboratories, Center for Infectious Diseases, Centers for Disease Control, San Juan, Puerto Rico 00936.

Center for Prevention Services, Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identifiable data are currently located is available upon request to the appropriate system manager.

Categories of individuals covered by the system:

Adults and children whose specimens have been submitted to the Centers for Disease Control (CDC) for testing.

Categories of records in the system:

Results of diagnostic tests involving microbiology, clinical chemistry, hematology, immunology, genetics and pathology.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation," (42 U.S.C. 241); Sections 304, 306 and 308(d) which discuss authority to grant assurances of confidentiality for health research and related activities (42 U.S.C. 242 b, k, and m(d)).

Purpose(s):

For documentation of test results which are returned to submitter. Used between specialty units for research purposes; and for epidemiological investigations, for epidemic causes, prevention, family groupings of diseases, and geographical location of specific diseases; also, used by epidemiologists and researchers in determining drug resistance of specific organisms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The following routine uses apply to all records in this system except those maintained under an assurance of confidentiality provided by Section 308(d) of the Public Health Service Act (unless expressly authorized in the consent form or stipulated in the Assurance Statement):

CDC is under contract with private firms for the purposes of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records are disclosed to such contractors. The contractors are required to maintain Privacy Act safeguards with respect to such records.

A record may be disclosed for a research purpose, when the Department:(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;(B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

To individuals and organizations deemed qualified by the Secretary to carry out quality assessment, medical audits, or utilization review.

Records may be disclosed to Health Departments and other public health or cooperating medical authorities in connection with program activities and related collaborative efforts to deal more effectively with diseases and conditions of public health significance.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original Form - file folders, microfilm copies, computer tapes/disks and printouts.

Retrievability:

Retrieved by name or designated number furnished by the submitter, CDC identifying number, and/or microfilm number.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session

or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for five years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 10 years old, unless needed for further study.

System manager(s) and address:

Director, Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Chief, Dengue Branch, Division of Vector-Borne Viral Diseases, Center for Infectious Diseases, Centers for Disease Control, GPO Box 4532, San Juan, Puerto Rico 00936

Director, Center for Prevention Services, Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the appropriate system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Approved public health laboratories, Federal medical facilities, private physicians.

Systems exempted from certain provisions of the act:

None.

09-20-0112

System name:

CDC Exchange Visitor and Guest Researcher Records, HHS/CDC/PMO.

Security classification:

None.

System location:

Commissioned Corps & Fellow Program Section, Personnel Management Office, Bldg. 1, Rm. 1042, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333 and

National Personnel Records Center (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118.

Categories of individuals covered by the system:

Visiting Fellows, Visiting Associates, Visiting Scientists, Staff Fellows, Guest Researchers.

Categories of records in the system:

Applications, requests for appointment, curriculum vitae, letters of reference.

Authority for maintenance of the system:

Public Health Service Act, Section 207(g),(h), "Appointment of Personnel," Section 208, "Pay and Allowances," and Section 301, "Research and Investigation" (42 U.S.C. 209(g),(h), 210 and 241).

Purpose(s):

This system is utilized by the Centers for Disease Control (CDC) officials for the purpose of review of applications and supporting documents in order to award fellowships; and for determinations regarding salary or stipend increases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, computer tapes/disks and printouts.

Retrievability:

The system is accessed by name of the individual, exchange visitor or guest researcher.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.

4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Mangement Regulations, subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for two years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the National Personnel Records Center where records are retained in accordance with retention schedules.

System manager(s) and address:

Chief, Commissioned Corps & Fellow Program Section, Personnel Management Office, Bldg. 1, Rm. 1042, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Secured from applicant.

Systems exempted from certain provisions of the act:

None.

09-20-0113

System name:

Epidemic Investigation Case Records, HHS/CDC/CID.

Security classification:

None.

System location:

Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Epidemiology Program Office, Bldg. 1, Rm. 5009, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Center for Prevention Services, Freeway Office Park, Rm. 313, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Center for Environmental Health, Chamblee Bldg. 27, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333and

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

Adults and children with disease and other health conditions of public health significance, their contacts, others with possible exposure and appropriate controls.

Categories of records in the system:

Medical histories, case reports.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation," (42 U.S.C. 241); Sections 304, 306, and 308(d), which discuss authority to grant assurances of confidentiality for health research and related activities (42 U.S.C. 242 b, k, and m(d)); and Section 361, "Quarantine and Inspection, Control of Communicable Diseases,' (42 U.S.C. 264).

Purpose(s):

The record system is used by professional staff at the Centers for Disease Control (CDC) for more complete knowledge of the disease/condition in the following ways: (1) An examination of existing files enables investigators to determine areas that have been adequately investigated and to specify those that might be pursued; or (2) Records may later be examined in the light of future discoveries and proven associations so that relevant data collected at the time of the outbreak may be analyzed and reassessed. CDC may or may not request duplicate copies of these State and/or local health department records for further analysis following completion of the field investigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The following routine uses apply to all records in this system except those maintained under an assurance of confidentiality provided by Section 308(d) of the Public Health Service Act (unless expressly authorized in the consent form or stipulated in the Assurance Statement):

These records may be disclosed, i.e., returned to the State and/or local health departments in order for them to take measures to control, prevent, or treat disease and to conduct follow-up activities with patients and others contacted during the investigations. Private physicians may also be supplied pertinent medical information on their patients from these records.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, cards, computer tapes/disks and printouts.

Retrievability:

Retrieved alphabetically by name.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for four years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Epidemiology Program Office, Bldg. 1, Rm. 5009, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Center for Environmental Health, Chamblee Bldg. 27, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333 and

Director, Center for Prevention Services, Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the appropriate system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals, State and local health departments, and private physicians.

Systems exempted from certain provisions of the act:

None.

09-20-0117

System name:

Medical and Test Record Results of Individuals Involved in NIOSH Laboratory Studies. HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Biomedical and Behavioral Science (DBBS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226

Division of Standards Development and Technology Transfer (DSDTT), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226 and

Federal Records Center, 3150 Bertwynn Drive, Dayton, Ohio 45439.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager.

Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Volunteer subjects from the general population.

Categories of records in the system:

Occupational history, medical history, results of medical tests including biopsy specimens, demographic data, results of psychological and psychometric tests, and data necessary to interpret the medical results.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669).

Purpose(s):

This system is to develop composite data summaries to support the development of criteria for occupational safety and health standards, and to provide other recommendations for improving worker safety and health.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and

NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files, computer cards, computer tapes/disks, computer listings, microfilm.

Retrievability:

Name and case number are the indexes used to retrieve records from this system.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.
2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.
3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.
4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Mangement Regulations, subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for three years. Personal identifiers are destroyed as soon as they are no longer necessary for the protection of the individuals involved. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Biomedical and Behavioral Science (DBBS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226 and

Medical Officer, Division of Standards Development and Technology Transfer (DSDTT), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the appropriate system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0118

System name:

Study at Work Sites where Agents Suspected of Being Occupational Hazards Exist. HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Biomedical and Behavioral Science, (DBBS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226 and

Federal Records Center, 3150 Bertwynn Drive, Dayton, Ohio 45439.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Subjects employed at specific sites under study.

Categories of records in the system:

Occupational history, medical history, results of medical tests including results of hearing tests, demographic data, employee records, psychological and psychometric tests, and data necessary to interpret the medical results.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669).

Purpose(s):

This system is to determine the relationship between worker exposure to hazardous agents or stressors and occupational disease. This information is used to recommend procedures to reduce the incidence of occupational disease.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the

Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files, computer cards, computer tapes/disks, computer listings, microfilm.

Retrievability:

Name and case number are the indexes used to retrieve records from this system.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.
2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.
3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.
4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Mangement Regulations, subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for three years. Personal identifiers are destroyed as soon as the system has stabilized, and statistical summaries can be run. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Division of Biomedical and Behavioral Science (DBBS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual and from employee records.

Systems exempted from certain provisions of the act:

None.

09-20-0136

System name:

Epidemiologic Studies and Surveillance of Disease Problems, HHS/CDC/CID.

Security classification:

None.

System location:

Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

San Juan Laboratories, Center for Infectious Diseases, Centers for Disease Control, San Juan, Puerto Rico 00936

Center for Prevention Services, 1600 Freeway Office Park, Rm. 313, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Center for Environmental Health and Injury Control, Chamblee Bldg. 27, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Epidemiology Program Office, Bldg. 1, Rm. 5009, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Public Health Practice Program Pffice, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Center for Chronic Disease Prevention and Health Promotion, Bldg. 3, Rm. 117, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identifiable data are currently located is available upon request to the appropriate system manager.

Categories of individuals covered by the system:

Adults and children with diseases and other preventable conditions of public health significance; also included are control group participants.

Categories of records in the system:

Case reports, medical records, questionnaires, and related documents.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation," (42 U.S.C. 241); Sections 304, 306 and 308(d) which discuss authority to grant assurances of confidentiality for health research and related activities (42 U.S.C. 242 b, k, and m(d)).

Purpose(s):

This record system enables Centers for Disease Control (CDC) officials to better understand disease patterns in the United States, develop programs for prevention and control of health problems, and communicate new knowledge to the health community.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The following routine uses apply to all records in this system except those maintained under an assurance of confidentiality provided by Section 308(d) of the Public Health Service Act (unless expressly authorized in the consent form or stipulated in the Assurance Statement):

CDC is under contract with private firms for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records are maintained by such contractors. Contractors are required to maintain Privacy Act safeguards with respect to such records.

A record may be disclosed for a research purpose, when the Department:(A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;(B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identified form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;(C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law;(D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

Records may be disclosed to health departments and other public health or cooperating medical authorities in connection with program activities and related collaborative efforts to deal more effectively with diseases and conditions of public health significance.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes/disks and printouts and file folders.

Retrievability:

By name of individual and by identification number.

Safeguards:

1. Authorized users: A database security package is implemented on CDC's mainframe computer to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a regular basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical Safeguards: Access to the CDC Clifton Road facility where the mainframe computer is located is controlled by a card key system. Access to the computer room is controlled by a card key and security code (numeric keypad) system. Access to the data entry area is also controlled by a card key system. The hard copy records are kept in locked cabinets in locked rooms. The local fire department is located directly across the street from the Clifton Road buildings. The computer room is protected by an automatic sprinkler system, automatic sensors (e.g., water, heat, smoke, etc.) are installed, and portable fire extinguishers are located throughout the computer room. The system is backed up on a nightly basis with copies of the files stored off site in a secure fire proof safe. The 24-hour guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in effect at the Federal Records Center.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. When Privacy Act tapes are erased, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Record copy of study reports maintained in agency from two to three years in accordance with retention schedules. Source documents for computer disposed of when no longer needed by program officials. Personal identifiers may be deleted from records when no longer needed in the study as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Center for Infectious Diseases, Bldg. 1, Rm. 6013, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Center for Prevention Services,1600 Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Center for Environmental Health and Injury Control, Chamblee Bldg. 27, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Epidemiology Program Office, Bldg. 1, Rm. 5009, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

!Director, Public Health Practice Program Office, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Director, Center for Chronic Disease Prevention and Health Promotion, Bldg. 3, Rm. 117, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself or may obtain information concerning participation in epidemiological studies or surveillance activities by contacting the appropriate system manager at the address listed above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of, or access to, a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the first official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals, private physicians, State and local health departments, and other health care providers.

Systems exempted from certain provisions of the act:

None.

09-20-0137

System name:

Passport File. HHS/CDC/IHPO.

Security classification:

None.

System location:

International Health Program Office, Bldg. 16, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Categories of individuals covered by the system:

The Centers for Disease Control (CDC) employees.

Categories of records in the system:

Passport status records.

Authority for maintenance of the system:

Title 5, Government Organization and Employees (5 U.S.C. 301).

Purpose(s):

To show status of passports of CDC employees who travel to foreign countries on official business.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Retrieved by name.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of International Health Program Office personnel and designated support staff of CDC, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors.

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Records are maintained in agency for five years. When passports expire or when they are cancelled, they are returned to the subject individual. If the individual does not wish to receive the cancelled or expired passport, the document is destroyed by shredding.

System manager(s) and address:

Director, International Health Program Office, Bldg. 16, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

CDC employees.

Systems exempted from certain provisions of the act:

None.

09-20-0138

System name:

Epidemic Intelligence Service Officers Files. HHS/CDC/EPO.

Security classification:

None.

System location:

Epidemiology Program Office, Bldg. 1, Rm. 5112, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Categories of individuals covered by the system:

EIS Officers - Current, alumni and applicants.

Categories of records in the system:

Applications, interview materials, letters of recommendations, call-to-duty papers.

Authority for maintenance of the system:

Public Health Service Act, Section 203, "Commissioned Corps" and Section 207, "Appointment of Personnel' (42 U.S.C. 204, 209).

Purpose(s):

The system is designed to process individual applications for the Epidemic Intelligence Service Officer program, and to assess a candidate's suitability for a position in the program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Retrieved by name.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, electronic anti-intrusion devices in operation at the Federal Records Center (FRC).

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for eight years. Disposal methods include burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation. Destroyed by paper recycling process after 16 years unless needed for further analysis.

System manager(s) and address:

Director, Epidemiology Program Office, Bldg. 1, Rm. 5009, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Educational institutions, previous employers and subject individuals.

Systems exempted from certain provisions of the act:

None.

09-20-0147

System name:

Occupational Health Epidemiological Studies. HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Surveillance, Hazard Evaluation, and Field Studies (DSHEFS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226and

Federal Records Center, 3150 Bertwynn Drive, Dayton, Ohio 45439.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Industrial workers exposed to physical and/or chemical agents that may damage the human body in any way. Some examples are: (1) Organic carcinogens, (2) inorganic carcinogens, (3) mucosal or dermal irritants, (4) fibrogenic materials, (5) acute toxic agents including sensitizing agents, (6) neurotoxic agents, (7) mutagenic (male and female) and teratogenic agents, (8) bio-accumulating non-carcinogen agents, and (9) chronic vascular disease-causing agents. Also included are those individuals in the general population who have been selected as control groups.

Categories of records in the system:

Physical exams, sputum cytology results, questionnaires, demographic information, smoking history, occupational histories, previous and current employment records, urine test records, X-rays, medical history, pulmonary function test records, medical disability forms, blood test records, driver's license data, hearing test results, spirometry results are examples of the records in this system. The specific types of records collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241); Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669); Federal Mine Safety and Health Act of 1977, Section 501, "Research" (30 U.S.C. 951).

Purpose(s):

Studies carried out under this system are to evaluate mortality and morbidity of occupationally related diseases, to determine the cause and prevention of diseases of industrial origin, and lead toward future prevention of occupationally related diseases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

Portions of records (name, Social Security number if known, date of birth, and last known address) may be disclosed to one or more of the sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State or local agency. Cause of death enables NIOSH to evaluate whether excess occupationally related mortality is occurring.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Test data which indicate the existence of cancer may be provided to the State Cancer Registry where the State has a legally constituted cancer registry program which provides for the confidentiality of information.

Certain communicable diseases may be reported to State and/or local Health Departments where the State has a legally constituted reporting program for communicable diseases and which provides for the confidentiality of the information.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files, card files, computer tapes/disks and printouts, microfilm, microfiche, and other files as appropriate.

Retrievability:

Name, assigned number, plant name, year tested are some of the indices used to retrieve records from these systems. Other retrieval methods are utilized as individual research dictates.

Safeguards:

1. Authorized users: A database software security package is utilized to control unauthorized access to the system. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff or contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Hard copy records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. The limited access, secured computer room contains fire extinguishers and an overhead sprinkler system. Computer terminals and automated records are located in secured areas. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. Procedural safeguards: Data sets are password protected and/or encrypted. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or a job submission. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

Employees and contractor staff who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either Government or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for three years. Every attempt is made to strip personal identifiers from records and destroy the records when they are no longer needed. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Program Management Officer, Division of Surveillance, Hazard Evaluations, and Field Studies (DSHEFS), National Institute for Occupational Safety and Health (NIOSH), Robert A. Taft Laboratories, 4676 Columbia Parkway, Cincinnati, Ohio 45226.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Vital status information is obtained from Federal, State and local governments and other available sources selected from those listed in Appendix I. Information is obtained directly from the individual and employer records, whenever possible.

Systems exempted from certain provisions of the act:

None.

APPENDIX I - Potential Sources for Determination of Vital Status

Military Records Appropriate State Motor Vehicle Registration Departments Appropriate State Driver's License Departments Appropriate State Government Divisions of: Assistance Payments (Welfare), Social Services, Medical Services, Food Stamp Program, Child Support, Board of Corrections, Aging;Indian Affairs, Workman's Compensation, Disability Insurance Retail Credit Association Follow Up Veterans Administration Files Appropriate Employee Union or Association Records Appropriate Company Pension or Employment Records Company Group Insurance Records Appropriate State Vital Statistics Offices Life Insurance Companies Railroad Retirement Board Area Nursing Homes Area Indian Trading Posts Mailing List Correction Cards (U.S. Postal Service) Letters and Telephone Conversations with Relatives Letters and Telephone Conversations with Former Employees of the Same Establishment as Cohort Member Appropriate Local Newspaper (Obituaries) Social Security Administration Internal Revenue Service National Death Index

09-20-0149

System name:

Morbidity Studies in Coal Mining, Metal and Non-metal Mining and General Industry. HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Persons working, or having worked at coal mining operations, mining operations other than coal and at workplaces not identified as surface mining or below ground mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population who have been selected as a control group.

Categories of records in the system:

Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669); Federal Mine Safety and Health Act of 1977, Sections 203, "Medical Examinations" and 501, "Research" (30 U.S.C. 843, 951); Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

The purpose of this system is to investigate occupationally related diseases at workplaces identified as general industry, surface mining, or below ground mining operations and to determine the cause and prevention of such diseases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Data on the incidence of pneumoconiosis may be sent to the Mining Safety and Health Administration, Department of Labor.

Test data which indicate the existence of cancer may be provided to the State Cancer Registry where the State has a legally constituted cancer registry program which provides for the confidentiality of information.

Certain communicable diseases may be reported to State and/or local Health Departments where the State has a legally constituted reporting program for communicable diseases and which provides for the confidentiality of the information.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer cards, tapes/disks and printouts, microfiche, and manual files.

Retrievability:

Name and/or assigned numerical identifier, plant name, study are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis may occasionally be used for data retrieval.

Safeguards:

1. Authorized users: The NIOSH mainframe computer, located within the Morgantown facility, uses a security package to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a daily basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Access to the facility is monitored, and controlled after hours, by a 24-hour guard service. Hard copy records are kept in locked cabinets in locked rooms. Access to the computer room is controlled by a punch lock system. System printouts are made available to the requester through the use of "pigeonhole" mailboxes which are individually secured by (combination) locking doors. The local fire department is one mile from the facility, which is of structural steel and cement block construction, with precast cement panels on the envelope. No combustible materials are used in the building construction, including all interior walls. The computer room is protected by a Halon gas, built-in extinguisher system. Heat sensors are installed, and portable fire extinguishers are located throughout the computer room. The active system files are backed up on a weekly basis. The entire system is backed up, with copies of the files stored in a secure, fireproof safe in a separate location within the facility.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or a job submission. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records maintained in agency for three years. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Administrative Officer, Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained from the individual and from employer industry records. Vital status information is obtained from Federal, State and local governments and other available sources.

Systems exempted from certain provisions of the act:

None.

09-20-0153

System name:

Mortality Studies in Coal Mining, Metal and Non-metal Mining and General Industry. HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Persons working, or having worked at coal mining operations, mining operations other than coal and at workplaces not identified as surface mining or below ground mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population who have been selected as a control group.

Categories of records in the system:

Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system:

Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669); Federal Mine Safety and Health Act of 1977, Section 4, "Mandatory Safety and Health Standards" and Section 501, "Research" (30 U.S.C. 811, 951); Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

The purpose of this system is to investigate occupationally related diseases at workplaces identified as general industry, surface mining or below ground mining operations, to determine the cause and prevention of such diseases, and to evaluate whether excess occupationally related mortality is occurring.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State, or local agency. Cause of death enables NIOSH to evaluate whether excess occupationally related mortality is occurring.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer cards, tapes/disks and printouts, microfiche, and manual files.

Retrievability:

Name and/or assigned numerical identifier, plant name, study are some of the indices used to retrieve records from this system. Social security numbers supplied on a voluntary basis may occasionally be used for data retrieval.

Safeguards:

1. Authorized users: The NIOSH mainframe computer, located within the Morgantown facility, uses a security package to control unauthorized access to the system. Attempts to gain access by unauthorized individuals are automatically recorded and reviewed on a daily basis. Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Access to the facility is monitored, and controlled after hours, by a 24-hour guard service. Hard copy records are kept in locked cabinets in locked rooms. Access to the computer room is controlled by a punch lock system. System printouts are made available to the requester through the use of "pigeonhole" mailboxes which are individually secured by (combination) locking doors. The local fire department is one mile from the facility, which is of structural steel and cement block construction, with precast cement panels on the envelope. No combustible materials are used in the building construction, including all interior walls. The computer room is protected by a Halon gas, built-in extinguisher system. Heat sensors are installed, and portable fire extinguishers are located throughout the computer room. The active system files are backed up on a weekly basis. The entire system is backed up, with copies of the files stored in a secure, fireproof safe in a separate location within the facility.

3. Procedural safeguards: System security includes automatic suspension of accounts, forced password changes, and control of systems and data set access. Protection for computerized records includes programmed verification of valid user identification code,

account code and password prior to acceptance of a terminal session or a job submission. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. Implementation guidelines: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records maintained in agency for three years. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Administrative Officer, Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject toa 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study or treatment, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained from the individual, company personnel records, death certificates, and from industry and trade union records. Vital status information is obtained from Federal, State and local governments and other available sources.

Systems exempted from certain provisions of the act:

None.

APPENDIX I - Potential Sources for Determination of Vital Status

Military Records Appropriate State Motor Vehicle Registration Departments Appropriate State Drivers License Departments Appropriate State Government Divisions of: Assistance Payments (Welfare), Social Services, Medical Services, Food Stamp Program, Child Support, Board of Corrections, Aging, Indian Affairs, Workman's Compensation, Disability Insurance Veterans Administration Files Appropriate Employee Union or Association Records Appropriate Company Pension or Employment Records Company Group Insurance Records Appropriate State Vital Statistics Offices Life Insurance Companies Railroad Retirement Board Area Nursing Homes Area Indian Trading Posts Mailing List Correction Cards (U.S. Postal Service) Letters and Telephone Conversations with Relatives Letters and Telephone Conversations with Former Employees of the Same Establishment as Cohort Member Appropriate Local Newspaper (Obituaries) Social Security Administration Internal Revenue Service

09-20-0154

System name:

Medical and Laboratory Studies, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Individuals who have had physical examinations at DRDS or who have had biochemical tests done on various samples submitted to DRDS.

Categories of records in the system:

Analyses of biochemical data, occupational and medical histories, and results of medical tests. The specific types of records collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system:

Federal Mine Safety and Health Act of 1977, Section 501, "Research" (30 U.S.C. 951); Occupational Safety and Health Act, Section 20, "Research and Related Activities" and Section 22(d), "Authority of Director, National Institute for Occupational Safety and Health" (29 U.S.C. 669, 671(d)).

Purpose(s):

The purpose of this system is to perform medical and epidemiological research, statistical analysis, and to identify early indicators of occupationally related diseases (biochemical indices); data is given to other NIOSH units for biochemical and epidemiological studies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Test data which indicate the existence of cancer may be provided to the State Cancer Registry where the State has a legally constituted cancer registry program which provides for the confidentiality of information.

Certain communicable diseases may be reported to State and/or local Health Departments where the State has a legally constituted reporting program for communicable diseases and which provides for the confidentiality of the information.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer cards, tapes/disks and printouts; microfiche, and manual files.

Retrievability:

Name and case number are the indices used to retrieve records from this system.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.

4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for three years. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Administrative Officer, Division of Respiratory Disease Studies (DRDS), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known; and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained directly from the individual.

Systems exempted from certain provisions of the act:

None.

09-20-0157

System name:

Clinical Laboratory Personnel Proficiency Test Results (Medicare), HHS/CDC/PHPPO.

Security classification:

None.

System location:

Public Health Practice Program Office, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Clinical laboratory technicians and technologists, cytotechnologists, independent laboratory directors.

Categories of records in the system:

Answer sheets, examination scores.

Authority for maintenance of the system:

Social Security Act, Section 1123 "Qualifications for Health Care Personnel" (42 U.S.C. 1320a-2).

Purpose(s):

To maintain a record of examination scores. When applicable, answer sheets are used to revalidate results.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Centers for Disease Control is under contract with private firms for the purpose of collating, analyzing, or otherwise refining records in this system. Relevant records are maintained by the contractors. The contractors are required to maintain Privacy Act safeguards with respect to such records.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer-generated listings filed by discipline, and by State, in file folders. Computer tapes filed at the Federal Records Center.

Retrievability:

Listings and answer sheets are retrieved by examination discipline, State, examinee's name and address, and examination number.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of Laboratory Program Office personnel and designated support staff of the Centers for Disease Control (CDC), or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, electronic anti-intrusion devices in operation at the Federal Records Center.

3. PROCEDURAL SAFEGUARDS: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with the system manager prior to making disclosures of data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are retained in agency for three years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process after 15 years, unless needed for further study.

System manager(s) and address:

Director, Public Health Practice Program Office, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) certify that they are the individuals they claim to be and that they understand that the knowing and wilful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

The following information should be provided when requesting notification: (1) Full name; (2) approximate date(s) of the examination(s); (3) name of the examination and location at which examination was administered.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Scored examinations.

Systems exempted from certain provisions of the act:

None.

09-20-0159

System name:

Records of Subjects in Certification, Testing, Studies of Personal Protective Devices, and Accident Investigations, HHS/CDC/NIOSH.

Security classification:

None.

System location:

Division of Safety Research (DSR), National Institutefor Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Also, occasionally data may be located at the facilities of collaborating researchers where analyses are performed, data collected and reports written. A list of these facilities is available upon request to the system manager. Data may be located only at those facilities that have an adequate data security program and the collaborating researcher must return the data to NIOSH or destroy individual identifiers at the conclusion of the project.

Categories of individuals covered by the system:

Individuals exposed to hazardous work environments and individuals selected as control groups are covered by this system. Additionally, the system pertains to individuals selected to test the interaction between people, personal protection or safety equipment, users of such equipment, and a hazardous environment. Some examples include individuals involved in investigated accidents and persons selected to perform respirator facepiece fit tests, perform lifting and manual materials handling studies, perform work tests while wearing protective equipment, perform strength test studies, and perform hand speed tests.

Categories of records in the system:

The system contains such records as physical examinations, questionnaires, results of laboratory tests (physiological measures and performance tests), workplace performance records, occupational histories, medical histories, demographic data, and related medical information. The specific types of records collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241); Occupational Safety and Health Act, Section 20, "Research and Related Activities" (29 U.S.C. 669); and Federal Mine Safety and Health Act of 1977, Section 501, "Research" (30 U.S.C. 951).

Purpose(s):

The purpose of this system is to permit acquisition of information related to certification and performance of personal protective equipment, and safety research studies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosures may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office, made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Portions of records (name, Social Security number if known, date of birth, and last known address) may be disclosed to one or more sources selected from those listed in Appendix I. This may be done to determine if the individual has died so that a death certificate can be obtained. Knowing the cause of death enables NIOSH to evaluate whether excess occupationally-related mortality is occurring.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Records subject to the Privacy Act are disclosed to private firms for data entry, computer systems analysis, and computer programming services. The contractors promptly return data entry records after the contracted work is completed. The contractors are required to maintain Privacy Act safeguards.

Disclosure may be made to NIOSH collaborating researchers (NIOSH contractors, grantees, or other Federal or State scientists) in order to accomplish the research purpose for which the records are collected. The collaborating researchers must agree in writing to comply with the confidentiality provisions of the Privacy Act and NIOSH must have determined that the researchers' data security procedures will protect confidentiality.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files, computer cards, tapes/disks and printouts, microfilm, index audiogram files, audiograms, questionnaire forms.

Retrievability:

Name, assigned number, plant name, and year tested are some of the indices used to retrieve records from these systems. Other retrieval methods are utilized as individual research dictates.

Safeguards:

1. Authorized users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of the Centers for Disease Control (CDC), as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. Physical safeguards: Records are kept in locked cabinets in locked rooms. Guard service in buildings provides screening of visitors. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. Procedural safeguards: Users of individually identified data protect information from public scrutiny, and only specifically authorized personnel may be admitted to the record storage area. CDC employees who maintain records are instructed to check with system manager prior to making disclosures of data.

4. Implementation guidelines: HHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual. FRC safeguards are in compliance with GSA Federal Property Mangement Regulations, subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for three years. Personal identifiers are stripped from records when no longer needed. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Special Assistant to the Director, Division of Safety Research (DSR), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, WV 26505.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) must certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known, and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information is obtained from the individual and from employer records.

Systems exempted from certain provisions of the act:

None.

09-20-0160

System name:

Records of Subjects in Health Promotion and Education Studies, HHS/CDC/CCDPHP.

Security classification:

None.

System location:

Center for Chronic Disease Prevention and Health Promotion, Bldg. 3, Rm. 117, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

A list of contractor sites where individually identifiable data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Adults and children, including health and education agency administrators, school health personnel, teachers, parents, and students who participate in studies and surveys designed to obtain data on their knowledge, attitudes, and reported behavior related to a variety of health problems and/or other potential preventable conditions of public health significance; also included are control group participants.

Categories of records in the system:

Responses to questionnaires by adults and children, including health and education agency administrators, school health personnel, teachers, parents, and students, pertaining to health knowledge, attitudes and behavior, site visit data, organizational data regarding health education in school curriculum, course content, medical histories, demographic data of the survey population as well as identification data for follow-up purposes.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

This record system enables the Centers for Disease Control (CDC) officials to develop and evaluate existing health promotion programs for disease prevention and control, and to communicate new knowledge to the health community for the implementation of such programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to CDC contractors in the conduct of research studies covered by this system notice and in the preparation of scientific reports, in order to accomplish the stated purpose of the system. The recipients will be required to maintain Privacy Act safeguards with respect to such records.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes/disks and printouts, file folders.

Retrievability:

Name of individual, identification number, school name and year tested are some of the indices used to retrieve records from this system.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of researchers and designated support staff of CDC or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, fire extinguishers, overhead sprinkler system and card-access control equipment in the computer room, computer terminals and automated records located in secured areas.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. When Privacy Act tapes are scratched, a special 'certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records are maintained in agency for two years. Source documents for computer disposed of when no longer needed by program officials. Personal identifiers may be deleted from records when no longer needed in the study as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process when 20 years old, unless needed for further study.

System manager(s) and address:

Director, Center for Chronic Disease Prevention and Health Promotion, Bldg. 3, Rm. 117, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) must certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

An individual who requests notification of or access to medical records shall, at the time the request is made, designate in writing a responsible representative who is willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to a child's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child by means of a birth certificate or court order, as well as verify that he or she is who he or she claims to be.

The following information must be provided when requesting notification: (1) Full name; (2) the approximate date and place of the study, if known, and (3) nature of the questionnaire or study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals, and participating public and private schools which maintain records on enrolled students.

Systems exempted from certain provisions of the act:

None.

09-20-0161

System name:

Records of Health Professionals in Disease Prevention and Control Training Programs, HHS/CDC/CPS.

Security classification:

None.

System location:

Center for Prevention Services, 1600 Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Public Health Practice Program Office, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

A list of contractor sites where individually identifiable data are currently located is available upon request to the appropriate system manager.

Categories of individuals covered by the system:

Physicians, nurses, physician assistants, clinician trainees, and other health personnel who have participated in training activities, surveys, and studies developed by the Centers for Disease Control (CDC), and control group health professionals who have not participated in training activities.

Categories of records in the system:

Responses to questionnaires by physicians, nurses, physician assistants, clinician trainees, and related health personnel, pertaining to knowledge, attitude and practices relating to health problems, diseases and/or other potential preventable conditions of public health significance; health care and related training data; and demographic data of the survey population as well as identification data for followup purposes.

Authority for maintenance of the system:

Public Health Service Act, Section 301, "Research and Investigation" (42 U.S.C. 241).

Purpose(s):

This record system enables CDC officials to maintain training records and assess the impact of the agency's training programs on the knowledge, attitudes and practices of clinicians and other health care personnel, in order to develop improved training curricula and programs for disease prevention and control for such health care personnel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to CDC contractors in the conduct of training surveys and studies covered by this system notice and in the preparation of scientific reports, in order to accomplish the stated purposes of the system. The recipients will be required to maintain Privacy Act safeguards with respect to such records.

CDC is under contract with private firms for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records are disclosed to such contractors. The contractors are required to maintain Privacy Act safeguards with respect to such records.

Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes/disks and printouts, file folders.

Retrievability:

Name of individual respondent, identification number, and type of training received are some of the indices used to retrieve records from this system.

Safeguards:

1. AUTHORIZED USERS: Access is granted to only a limited number of personnel, i.e., CDC Project Officer, interviewers and designated support staff of CDC or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected.

2. PHYSICAL SAFEGUARDS: Locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, electronic anti-intrusion devices in operation at the Federal Records Center, fire extinguishers, overhead sprinkler system and card-access control equipment in the computer room, computer terminals and automated records located in secured areas.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, frequently changed passwords, and Vault Management System. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. When Privacy Act tapes are scratched, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. Additional safeguards may be built into the program by the system analyst as warranted by the sensitivity of the data.

CDC and contractor employees who maintain records are instructed to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either CDC or contractor sites is restricted to specifically authorized personnel. Privacy Act provisions are included in contracts, and the CDC Project Director, contract officers and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to CDC or destroyed, as specified by the contract.

4. IMPLEMENTATION GUIDELINES: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

Records are maintained in agency for two years. Disposal methods include erasing computer tapes, burning or shredding paper materials or transferring records to the Federal Records Center when no longer needed for evaluation and analysis. Records destroyed by paper recycling process after 12 years, unless needed for further study.

System manager(s) and address:

Director, Center for Prevention Services, 1600 Freeway Office Park, Rm. 310, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333

Director, Public Health Practice Program Office, Executive Park, Bldg. 24, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Policy coordination is provided by: Director, Office of Program Support, Bldg. 1, Rm. 2011, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself or herself by contacting the appropriate system manager at the address above. Requesters in person must provide driver's license or other positive identification. Individuals who do not appear in person must either (1) submit a notarized request to verify their identity or (2) must certify that they are the individuals they claim to be and that they understand that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Privacy Act subject to a 5,000 dollars fine.

The following information must be provided when requesting notification: (1) Full name; (2) name of the clinic/organization in which requester was employed at time of training or survey participation, and (3) nature of the training or survey questionnaire in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals in the system and selected clinics which employ individuals who are in the system.

Systems exempted from certain provisions of the act:

None.

09-20-0162

System name:

Records of Subjects in Agent Orange, Vietnam Experience, and Selected Cancers Studies, HHS/CDC/CEH.

Security classification:

None.

System location:

Chronic Diseases Division, Center for Environmental Health, Chamblee Bldg. 25, Centers for Disease Control, 1600 Clifton Road,Atlanta, GA 30333 and

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Data are located at contractor sites as data are collected. A list of contractor sites where individually identified data are currently located is available upon request to the system manager.

Categories of individuals covered by the system:

Selected male U.S. Army veterans at grade E-5 or below who enlisted or were drafted for one tour of duty in Vietnam or other countries during 1966 - 1972; males with birthdates 1929-1953 who have cases of selected cancers (specifically, lymphomas, soft tissue sarcomas, nasal and nasopharyngeal, and primary liver) diagnosed between December 1, 1984 to November 30, 1988; also included are control group participants.

Categories of records in the system:

Information identifying the participants (such as name, address, social security number, military service number, telephone number date of birth), interview questionnaire responses, medical, laboratory, and psychological test result data, and records on biological specimens (e.g. blood, tumor, urine, etc.).

Authority for maintenance of the system:

Pub. L. 96-151, "Veterans Health Programs Extension and Improvement Act of 1979" (38 U.S.C. 219 note); Pub. L. 97-72, "Veterans' Health Care, Training, and Small Business Loan Act of 1981" (38 U.S.C. 219 note); Public Health Service Act, Sections 304, 306, and 308(d), which discuss authority to grant assurances of confidentiality for health research and related activities (42 U.S.C. 242 b, k, and m(d)).

Purpose(s):

Records in this system are used to support studies to assess the health of Vietnam veterans relative to the health of other men of similar age. Specifically this information should enable the Centers for Disease Control (CDC) to:

1. Evaluate the relationship of documented exposure to herbicides used in Vietnam (primarily Agent Orange) to possible adverse health consequences. Such possible effects to be evaluated include dermato-

logic, neurological, psychological, immunological, carcinogenic, reproductive, gastrointestinal, and others.

2. Assess the health effects of service in Vietnam (including factors other than herbicide exposure) as opposed to the experiences of veterans who served in other countries.

3. Evaluate the risk of selected cancers among Vietnam veterans in contrast to men of similar age who did not serve in Vietnam.

Portions of records (i.e., name, social security number or military service number, date of birth) may be disclosed to the National Center for Health Statistics for obtaining a determination of vital status. Death certificates stating the cause of death will then be obtained from the appropriate Federal, State, or local agency to enable CDC to evaluate whether excess mortality is occurring among Vietnam veterans. Portions may also be disclosed to the Social Security Administration who will provide additional sources of information for locating veterans involved in the study.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Department of Health and Human Services contractors to locate veterans, cancer cases and controls, conduct interviews, perform medical examinations, analyze pathology specimens, and similar medical services, so that the research purposes for which the records are collected may be accomplished. The contractor must comply with the requirements of the Privacy Act with respect to such records.

Portions of records (i.e., name, social security number or military service number) may be disclosed to other Federal agencies such as the Veterans Administration and Internal Revenue Service only to obtain information to aid in locating veterans involved in the study. These disclosures will be made to update locating information provided by the Army and Joint Services Environmental Support Group.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, microfilm, computer cards, tapes/disks and printouts.

Retrievability:

By name, social security number or military service number (when supplied voluntarily or contained in existing records used in studies under this system), or other identifying number.

Safeguards:

Records in this system are collected under an Assurance of Confidentiality authorized by Section 308(d) of the Public Health Service Act. To comply with this Assurance, the following special safeguards are necessary:

1. AUTHORIZED USERS: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of CDC or its contractors, as authorized by the Project Director to accomplish the stated purposes for which the data in this system has been collected.

2. PHYSICAL SAFEGUARDS: Questionnaires and other source data are maintained in locked fire-resistant cabinets in locked rooms. When entered into the computer, individually identified information is kept separate from data used for analysis. Tape data are stored in fire-resistant safes. There is 24-hour guard service in buildings, personnel screening of visitors, fire extinguishers, overhead sprinkler system and card-access control equipment in the computer room, and computer terminals and automated records are located in secured areas. Electronic anti-intrusion devices are in operation at the Federal Records Center.

3. PROCEDURAL SAFEGUARDS: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission and frequently changed passwords. Knowledge of individual tape passwords is required to access tapes, and access to systems is limited to users obtaining prior supervisory approval. Names and other details necessary to identify individuals are not included in data files used for analysis. These files are indexed by code numbers which are linked with complete identifiers only if there is a specific need such as data verification or followup interviews. Keys which link identification numbers to names are stored separately with access limited to CDC project officers and authorized staff.

CDC and contractor employees who maintain records are instructed in specific rules of conduct to protect the security and confidentiality of records in accordance with Section 308(d) of the Public Health Service Act. When individually identified records are being used in a room at a contractor site, admittance to the room is restricted to employees pledged to confidentiality under this statute. All data will be either returned to CDC or destroyed, as specified by the contract.

Appropriate Privacy Act provisions and confidentiality provisions under Section 308(d) of the Public Health Service Act are included in contracts. The CDC Project Director, contract officers, and project officers oversee compliance with these requirements.

4. IMPLEMENTATION GUIDELINES: The safeguards outlined above are developed in accordance with Chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45-13; Part 6, "Automated Information System Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B—Archives and Records.

Retention and disposal:

CDC retains research records in accordance with the CDC Records Control Schedule Item 37, which allows the system manager to maintain the records for 20 years unless needed for future reference. Because five-year mortality updates are planned until the study population expires, and health information from the questionnaire will be correlated with the mortality data, the computerized records to which questionnaire data will be converted may be kept as long as research needs dictate. Contractors will retain the records only as long as necessary to complete data collection and verify CDC's receipt of the data in usable form.

Records may be transferred to a Federal Records Center for storage when no longer needed for evaluation or analysis and will be retained there subject to statutory confidentiality requirements. Disposal methods include the paper recycling process, shredding hardcopy records, and erasing computer tapes and disks.

System manager(s) and address:

Director, Agent Orange Projects, Chronic Diseases Division, Center for Environmental Health, Chamblee Bldg. 25, Centers for Disease Control, 1600 Clifton Road, Atlanta, GA 30333.

Notification procedure:

An individual may learn if a record exists about himself by contacting the system manager at the address above. Persons who knowingly and willfully request or acquire a record pertaining to an individual under false pretenses are subject to a 5,000 dollars fine for this criminal offense. Requesters in person must provide photo identification (such as driver's license) or other positive identification (i.e., place of birth, etc.) that would authenticate the identity of the individual making the request. Individuals who do not appear in person must submit a notarized request to verify their identity. A guardian who requests notification of, or access to, a mentally incompetent or severely physically impaired person's record must provide a birth certificate (or notarized copy), court order, or other competent evidence of guardianship. An individual who requests notification of, or access to, a medical record shall at the time the request is made, designate in writing a responsible representative (who may be a physician, other health professional, or other responsible individual) who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

In addition, the following information must be provided when requesting notification: (1) Full name and social security or military service number; (2) nature of the study in which the requester participated.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may be requested.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Subject individuals, Department of Defense (Army and Joint Services Environmental Support Group), Surveillance, Epidemiology, and End Results Centers (cancer registries). Records are derived from U.S. Army system of records: AO708.02ADAPC, "Official Military Personnel File."

Systems exempted from certain provisions of the act:

None.

09–20–0163

System name:

Applicants for National Center for Health Statistics Technical Assistance, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782.

Categories of individuals covered by the system:

Applicants for and students of concentrated, intensive short-term courses related to health statistics. They are employees of Federal, State, and local governments and other persons in health-related fields engaged in collecting and analyzing vital and health statistics.

Categories of records in the system:

Applicant form which contains brief education information, current employment, and courses in which applicant is interested.

Authority for maintenance of the system:

Public Health Service Act, Section 304(b)(1) (42 U.S.C. 242b), authorizing the Secretary to use resources to provide technical assistance.

Purpose(s):

To set up courses, notify applicants of acceptance or non-acceptance, and acceptance for a future course if necessary. Used exclusively within the National Center for Health Statistics (NCHS).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Alphabetically filed in file cabinet.

Retrievability:

Retrievable by name.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS implements personnel, physical, and procedural safeguards as follows:

(1) Authorized Users: Records are used only by staff administering the technical assistance programs.

(2) Physical Safeguards: Routine building security.

(3) Procedural Safeguards: Persons other than staff authorized to work with the records are not allowed access to them.

These safeguards are established in accordance with guidelines in DHHS Chapter 45-13 of the General Administration Manual, in supplementary Chapter PHS.hf:45-13, and in the NCHS Staff Manual on Confidentiality.

Retention and disposal:

File destroyed six months after each course is completed.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, Maryland 207.

Notification procedure:

To determine if a record exists, write to the System Manager.

Record access procedures:

Same as notification procedures. Positive identification is required from anyone seeking access. Requestors should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Contact the official at the address specified under System Manager above, reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Voluntary submission of Application Form by person wishing to take the courses.

Systems exempted from certain provisions of the act:

None.

09–20–0164

System name:

Health and Demographic Surveys Conducted in Probability Samples of the U.S. Population, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782.

Federal Records Center, 4205 Suitland Road, Suitland, Maryland 20409; and at selected contractor location. A current list of contractor sites is available by writing to the System Manager at the address below.

Categories of individuals covered by the system:

Individuals and members of households selected by probability sampling techniques to be representative of the civilian population of the United States.

Categories of records in the system:

Records containing information on: (1) The incidence of illness and accidental injuries, prevalence of diseases and impairments, the extent of disability, the utilization and cost of health care services, and other health characteristics of individuals obtained in household interviews and from their named health care providers and insurers; or (2) the nutritional status, prevalence levels of specially defined chronic diseases, growth and development patterns and distributions of various health related measurements and related data obtained in a survey involving health examinations, tests, and other measurement procedures; or (3) marital and child bearing history and intended future births, the use of prenatal care, and the family planning practices of individual women obtained by interview. Demographic and socioeconomic characteristics such as age, marital status, education, occupation, and family income are also obtained.

Authority for maintenance of the system:

Public Health Service Act, Section 306(b) (42 U.S.C. 242k).

Purpose(s):

The data are used for statistical purposes only. Uses within the Department include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of 42 U.S.C. 242k, i.e., to determine levels of illness and disability and their effects on the population, the use of health care facilities, trends in family formation and dissolution, and the like.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data are disseminated for purposes of statistical research and analysis outside DHHS in forms which do not permit the identification of individuals, such as publications of statistical tables, specially requested tabulations and public use computer tapes. These are communicated to interested persons outside DHHS, such as members of Congress and their staffs, other executive branch agencies, universities, States, cities, private foundations, etc. The findings are used by demographers, sociologist, health statisticians, epidemiologists, other scholars and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like.

The Department occassionally contracts with a private firm for the purpose of collecting analyzing, aggregating, or otherwise refining records in this system. Relevant records are disclosed to such a contractor. The contractor is required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files and magnetic tapes.

Retrievability:

A serial number tied to the selection process of successively smaller geographic areas is assigned to each record on magnetic tape. This serial number is cross-indexed to the original, individually identifiable record.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users: Persons authorized and needing to use the records, including project directors, contract officers, interviewers, analysts, statisticians, statistical clerks, and key punch operators on the staffs of the Center and the contractors.

2. Physical Safeguards: The manual portions of the records are stored in locked files or offices when not in use. (The automated portions of the records do not contain individually identifiable data. Because they are not subject to the Privacy Act, descriptions of the computer safeguards used are not included in this notice.) Access to the buildings in which the manual records are stored is controlled by special entry devices and 24-hour security guards.

3. Procedural Safeguards: All employees of NCHS and contractor personnel with access to NCHS records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information; periodic training sessions are conducted to reinforce the confidentiality restrictions.

Contractors who maintain records in the system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

These safeguards are in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual; supplementary chapter PHS.hf: 45-13; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 312); and the NCHS Staff Manual on Confidentiality.

Retention and disposal:

Original survey records are reviewed for accuracy, edited, and data (without personal identifiers such as name or Social Security Number) are transferred to magnetic tape. The original records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. This process is completed within approximately nine months. The original records are then sent to the Federal Records Center where they are stored for 5 years for interview survey records and 10 years for examination records. Microfilm copies of examination records are retained at the Federal Records Center for 40 years.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, Maryland 20782.

Notification procedure:

To determine if a record exists, write to the System Manager.

Record access procedures:

Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Positive identification is required from anyone seeking access. Appeal of access refusal may be made to the Director, Office of Management, Public Health Service. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

If access has been granted, contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Respondents included in the survey samples.

Systems exempted from certain provisions of the act:

With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d) (1) through (4), and (e)(4) (G) and (H) in accordance with the provisions of subsection 552a(k)(4) of the Privacy Act of 1974. The reason this system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records. The exemption was published in the Federal Register, October 8, 1975, page 47413.

09-20-0165

System name:

Health Manpower Inventories and Surveys, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782; and at selected contractor locations. A current list of contractor sites is available by writing to the System Manager at the address below.

Categories of individuals covered by the system:

Individuals trained in specific health occupations, such as dentists, nurses, pharmacists, optometrists, dental hygienists, and other providers of health care services.

Categories of records in the system:

Records containing information on educational attainment, place of education, activity status, place and setting of employment or practice, place of residence, date of birth, sex, and marital status.

Authority for maintenance of the system:

Public Health Service Act, Section 306(b) (42 U.S.C. 242k).

Purpose(s):

The data are used for statistical purposes only. Uses within the Department include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation to meet legislative mandates of the Public Health Service Act, Section 306 (42 U.S.C. 242k), such as an annual report on health resources, including a description and analysis of the statistics included under Section 306(b)(1)(G). In addition, probability samples of individuals are selected by NCHS for statistical research purposes. Tables, magnetic tapes, and statistical samples of individuals are provided for statistical purposes only to the Bureau of Health Professions, Health Resources and Services Administration, for its use in determining health manpower scarcity areas, for loan forgiveness, and developing and evaluating educational and training programs for health manpower.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data are made available to Health Systems Agencies and the State Agency designated under the Public Health Service Act (42 U.S.C. 300 l and m) for statistical purposes only for developing and evaluating health plans.

The data are also disseminated for the purpose of statistical research and analysis outside DHHS in forms which do not permit the identification of individuals, such as publication of statistical tables, specially requested tables, and public use magnetic tapes. These are communicated to interested persons outside DHHS, such as Members of Congress, other executive branch agencies, professional associations, universities, State, cities, private foundations, etc. The statistical summaries are used by health manpower researchers, legislators statisticians and concerned citizens to evaluate the Nation's health manpower resources, make determinations on needs for legislation, new health manpower training programs, and the like.

The Department occasionally contracts with a private firm for the purpose of collecting, analyzing, aggregating or otherwise refining records in the system. Relevant records are disclosed to such a contractor. The contractor is required to maintain Privacy Act safeguards with respect to such records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files and magnetic tape.

Retrievability:

Name and address, date of the inventory or survey, and other identifiers permit the retrieval of a computer record of the individual's information contained on magnetic tape. Original records of information are reviewed by the contractor and/or National Center for Health Statistics (NCHS) staff for accuracy and edited, and data with personal identifier (such as name and address) are transferred to magnetic tape. The records are then matched by personal identifiers to produce an unduplicated file of individuals in a health occupation.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users: Persons authorized and needing to use the records, including project directors, contract officers, interviewers, analysts, statisticians, statistical clerks, and key punch operators on the staffs of the Center and the contractors.

2. Physical Safeguards: The manual portions of the records are stored in locked files or offices when not in use. The automated records and the computer equipment are in secured areas with fire extinguishers and sprinkler system. Access to the buildings in which the manual and the automated records are stored is controlled by special entry devices and 24-hour security guards.

3. Procedural Safeguards: All employees of NCHS and contractor personnel with access to NCHS records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information; periodic training sessions are conducted to reinforce the confidentiality restrictions. Data stored in computers are accessed through the use of passwords/keywords known only to the principal investigators and authorized personnel. These passwords/keywords are changed frequently.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

These safeguards are in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual; supplementary chapter PHS.hf: 45-13; Part 6, "ADP Systems Security," of the HHS ADP Systems Manual; the National Bureau of Standards of Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 312); and the NCHS Staff Manual on Confidentiality.

Retention and disposal:

The original records are retained in the offices of national professional associations and/or State boards of licensure, or the NCHS data processing facility until the process of conversion to magnetic tape and verification of information is completed and a subsequent inventory or survey is initiated. For these reasons the records may be retained for a period of up to five years before disposal.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, Maryland 20782.

Notification procedure:

To determine if a record exists, write to the System Manager at the above address.

Record access procedures:

Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Positive identification is required from anyone seeking access. Appeal of access refusal may be made to the Director, Office of Management, Public Health Service. An individual may also request an accounting of disclosure of his/her record, if any.

Contesting record procedures:

If access has been granted, contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Health practitioners, state licensing agencies, or professional associations.

Systems exempted from certain provisions of the act:

With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4), and (e)(4)(G) and (H) in accordance with the provisions of subsection 552a(k)(4) of the Privacy Act of 1974. The reasons that the system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records. The exemption was published in the Federal Register, October 8, 1975, page 47413.

09-20-0166

System name:

Vital Statistics for Births, Deaths, Fetal Deaths, Marriages and Divorces Occurring in the United States during Each Year, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway,
Hyattsville, Maryland 20782;
Federal Records Center, 4205 Suitland Road, Suitland,
Maryland 20409.

Categories of individuals covered by the system:

Individuals who are born and their parents; individuals who die; individuals who are married or divorced; and parents experiencing fetal deaths.

Categories of records in the system:

The records include microfilm images of State records or machine-readable data prepared by the State from records collected under the laws of each State for births, deaths, fetal deaths, marriages and divorces. The records contain the demographic characteristics of individuals associated with each event. In addition, the birth records include information on the characteristics of each live birth, the health status of the infant, and socioeconomic characteristics of the parents. The death records contain medical information relating to cause of death and to socioeconomic characteristics of the deceased; the fetal death record contains medical information relating to cause of death and socioeconomic characteristics of the parents. Marriages and divorces include demographic and socioeconomic characteristics of both parties to the event and legal information regarding the event.

Periodically the National Center for Health Statistics (NCHS) conducts followback surveys, collecting information on random samples of births and deaths through mail questionnaires. The content of questionnaires for the followback surveys varies. Past surveys have collected information on such topics as hospital utilization in the last year of life, smoking habits of the deceased, health status of infants, and pregnancy and employment histories of mothers.

Lists of names and other identifying information in the system are provided to NCHS by individuals and organizations who for health research purposes seek to have them matched against files of decedents in order to identify State death records.

Authority for maintenance of the system:

Public Health Service Act, Section 306(h) (42 U.S.C. 242k.)

Purpose(s):

The data are used for statistical purposes only. Uses within the Department include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of 42 U.S.C 242k, i.e., to determine the extent and nature of illness and disability of the population of the U.S., including life expectancy and levels of infant and maternal mortality, environmental and other health hazards, trends in family formation, growth, and dissolution, and other related matters. The followback surveys are designed primarily to expand the scope of data that NCHS can collect from the national registration system, to make the registration system more responsive to changing needs for data, and to evaluate the quality of data collected on the birth and death records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The processed data are disseminated for public use in forms that do not permit identification of individuals, such as published statistical tables, special unpublished tabulations, and public use computer tapes, which carry no individual identifiers. They are used by members of Congress and their staffs, other executive branch agencies, state and city governments, public and private research institutions, life insurance companies, faculty and students of universities, physicians, workers in health information, newspaper reporters and feature writers, etc. The findings are used to make determinations on needs for legislation, appropriations, and programs in the health field; to pinpoint health problems, measure progress of national health programs, and make population estimates; for epidemiological studies, marketing research, sociological studies, and studies of the family; and for other research directed at understanding our society.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files and magnetic tapes.

Retrievability:

Some States submit microfilm copies of certificates of birth, death, fetal death, marriage, and divorce, and statistics are extracted from them. These microfilms contain individual identifiers; they are the only individually identified records in the system. Other States submit vital statistics data on magnetic tape, showing only a State file number for each case but no personal identifiers.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users: Persons authorized and needing to use the records, including project directors, contract officers, interviewers, analysts, statisticians, statistical clerks, and key punch operators on the staffs of the Center and the contractors.

2. Physical Safeguards: The manual portions of the records are stored in locked files or offices when not in use. (The automated portions of the records do not contain individually identifiable data. Because they are not subject to the Privacy Act, descriptions of the computer safeguards used are not included in this notice.) Access to the buildings in which the manual records are stored is controlled by special entry devices and 24-hour security guards.

3. Procedural Safeguards: All employees of NCHS and contractor personnel with access to NCHS records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information; periodic training sessions are conducted to reinforce the confidentiality restrictions.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

These safeguards are in accordance with chapter 45–13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual; supplementary chapter PHS.hf: 45–13; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 312); and the NCHS Staff Manual on Confidentiality.

Retention and disposal:

The microfilm copies of the individually identifiable records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. The death records are sent to the Federal Records Center ten years after tabulation for deaths occurring during the three year period surrounding census years and one year after tabulation for other years. They are held until disposed of, 15 years after tabulation for deaths of the censal years, and five years after tabulation for other years. Records of births, fetal deaths, marriages, and divorces are disposed of two years after tabulation. The questionnaires for the followback surveys are destroyed after conversion to magnetic tape, tabulation, and analyses have been completed.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2–19 3700 East-West Highway, Hyattsville, Maryland 20782.

Notification procedure:

To determine if a record exists, write to the System Manager at the above address.

Record access procedures:

Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Positive identification is required from anyone seeking access. Appeal of access refusal may be made to the Director, Office of Management, Public Health Service. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

If access has been granted, contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Vital statistics records are obtained from State vital statistics offices, or, in rare instances, from other State or county repositories of marriage or divorce data. Information in followback surveys is obtained from hospitals, physicians, or relatives of the infants or the deceased.

Systems exempted from certain provisions of the act:

With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4), and (e)(4)(G) and (H), in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason that the system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records. The exemption was published in the Federal Register, October 8, 1975, page 47413.

09–20–0167

System name:

Health Resources Utilization Statistics, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2–19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782; Federal Records Center, 4205 Suitland Road, Suitland, Maryland 20409; and at selected contractor locations. A current list of contractor sites is available by writing to the System Manager at the address below.

Categories of individuals covered by the system:

Recipients of medical care included in statistical surveys and reports of the National Center for Health Statistics (NCHS), including but not limited to: (1) Staff and residents of nursing homes selected by random sampling techniques to be representative of nursing homes in the U.S.; (2) physicians providing medical care and patients visiting such physicians; (3) patient medical records from selected short-stay hospitals.

Categories of records in the system:

Records containing information on: (1) The utilization of long-term care and nursing home care through data on clients and residents (demographic and social characteristics, health status and charges paid for care) and the facility (general characteristics certification, services offered and expense); (2) the demographic characteristics, medical and other problems of persons visiting physicians, and the physicians' diagnosis, treatment, and disposition decisions made during such visits as obtained from physicians during randomly assigned one-week survey periods; (3) the demographic characteristics administrative information (admission and discharge dates, discharge status, and medical record number), and medical information (diagnosis and surgical procedures) abstracted from the face sheet of short-stay hospital medical records; (4) records of family planning medical services provided by the clinics participating in a nationwide sample survey reporting system, the demographic and socioeconomic characteristics, including education and welfare status, of the recipients of these services, and the extent to which these services (excluding physicians' offices) are funded by Federal grants.

In many cases, these records do not contain individual identifiers when they come under control of the National Center for Health Statistics; they carry only sequence numbers, which only the originating agency would be able to translate into a personal identifier—and even then, not in all cases. Names of residents and staff of nursing homes and patients of physicians are listed on separated forms for sampling purposes only and are not included in the final statistical records.

Authority for maintenance of the system:

Public Health Service Act, Section 306(b) (42 U.S.C. 242k).

Purpose(s):

The data are used for statistical purposes only, as specified by statute, Section 308(d) of 42 U.S.C. 242m. Uses within the Department include the preparation of aggregated data in the form of statistical tables for publication, analysis and interpretation to meet the legislative mandates of 42 U.S.C. 242k, i.e., collection of statistics on the utilization of health services, including the utilization of: (1) Long-term care services and nursing home facilities to determine levels of illness and disability, effects on the serviced population, and the costs of care; (2) ambulatory health services by specialties and types of practice of the health professionals providing such services; (3) short-stay hospitals to determine characteristics of patients, length of stay, diagnosis and surgical operations, and utilization patterns of care in hospitals of different size and ownership; (4) family planning facilities to provide statistics on the size of and services dispensed by these facilities, the numbers and characteristics of family planning patients, the overall proportion of the "target population" which is being reached by family planning programs on a national scale, and the like. The family planning data are distributed to the Deputy Assistant Secretary for Population Affairs, DHHS, and the Bureau of Community Health Services in the Health Resources and Services Administration for the purpose of executing national family planning programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data are disseminated in forms which do not permit the identification of individuals, such as publications of statistical tables, special requested tabulations, and public use computer tapes. These are communicated to interested persons outside DHHS, such as members of Congress and their staffs, other executive branch agencies, universities and medical schools, state and local health planning agencies, private foundations, etc. The findings are used by demographers, sociologists, health statisticians, epidemiologists, medical educators, health planners, other scholars, and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files and magnetic tapes.

Retrievability:

Data are retrieved by individual identifier only in the editing stage of data processing and only for the purpose of correcting errors in the recording of information. Original survey records are reviewed for accuracy and edited, then data (without personal identifiers such as name or Social Security Number) are transferred to magnetic tape.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS and its contractors implement personnel, physical, and procedural safeguards as follows:

1. Authorized Users: Persons authorized and needing to use the records, including project directors, contract officers, interviewers, analysts, statisticians, statistical clerks, and key punch operators on the staffs of the Center and the contractors.

2. Physical Safeguards: The manual portions of the records are stored in locked files or offices when not in use. (The automated portions of the records do not contain individually identifiable data. Because they are not subject to the Privacy Act, descriptions of the computer safeguards used are not included in this notice.) Access to the buildings in which the manual records are stored is controlled by special entry devices and 24-hour security guards.

3. Procedural safeguards: All employees of NCHS and contractor personnel with access of NCHS records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of individually identifiable information; periodic training sessions are conducted to reinforce the confidentiality restrictions.

Contractors who maintain records in this system are instructed to make no further disclosure of the records. Privacy Act requirements are specifically included in contracts for survey and research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

These safeguards are in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual; supplementary chapter PHS.hf: 45-13; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 312); and the NCHS Staff Manual on Confidentiality.

Retention and disposal:

The original records are retained in office files of NCHS or NCHS contractors for two years. The procedure for family planning records differs in that the original documents are retained in office files for only two months. In all instances, the original records are then sent to the Federal Records Center where they are stored for five years.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, Maryland 20782.

Notification procedure:

To determine if a record exists, write to the System Manager at the above address.

Record access procedures:

Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Positive identification is required from anyone seeking access. Appeal of access refusal may be made to the Director, Office of Management, Public Health Service. An individual may also request an accounting of disclosures of his/her record, if any.

Contesting record procedures:

If access has been granted, contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Hospitals, physicians, clinics, nursing homes, and other providers of health care.

Systems exempted from certain provisions of the act:

With respect to this system of records, exemption has been granted from the requirements contained in Subsections 552(a)(3), (d)(1) through (4), and (e)(4)(G) and (H), in accordance with provisions of Subsections 552a (k)(4) of the Privacy Act of 1974. The reason for this exemption is that this system contains only records required by statute to be maintained and used solely as statistical records. The exemption was published in the Federal Register, September 11, 1978, page 40229.

09-20-0168

System name:

Curricula Vitae of Consultants to the National Center for Health Statistics, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782; and offices of contractors employed to develop and maintain curricula vitae on consultants to the National Center for Health Statistics (NCHS). Contractor locations are available upon request directed to the System Manager.

Categories of individuals covered by the system:

Persons who are current or potential consultants to NCHS. These are persons with special expertise who may be able to assist NCHS on a consultant basis in the planning and conducting of surveys, studies, statistical reporting programs, or statistical analyses of data, or in providing training and technical assistance, or assisting in conducting conferences.

Categories of records in the system:

Information relating to the professional training and experience of the consultant. This includes address; current position; employer; duties; place, time, and length of education; degrees received; honors received; former positions and work experiences; memberships in professional organizations; special committee and task force assignments; offices held; publications; references; health condition; availability for, and interest in travel and accepting certain assignments; compensation required, etc.

Authority for maintenance of the system:

Public Health Service Act, Section 304(b) (42 USC 242b), authorizing the Secretary to take the necessary steps to implement statistical and epidemiological activities relating to health.

Purpose(s):

The data are used by staff of NCHS or its contractors for selecting consultants to assist in projects conducted or sponsored by NCHS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Where Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

2. The Department occasionally contracts with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records are disclosed to such a contractor. The contractor is required to maintain Privacy Act safeguards with respect to such records.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The information is contained on paper records and computer-readable tape.

Retrievability:

Information is retrieved by name, address, speciality, and by other characteristics.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained. NCHS implements personnel, physical, and procedural safeguards as follows:

(1) Authorized Users: Records are used only by staff whose official duties require them to use records on consultants.

(2) Physical Safeguards: Records are maintained in locked metal files or in a locked room when not in use. Computerized files are further protected by the Resource Access Control Facility ("RACF").

(3) Procedural Safeguards: Persons other than staff authorized to work with the records are not allowed access to them.

These safeguards are established in accordance with guidelines in DHHS Chapter 45-13 of the General Administration Manual, in supplementary Chapter PHS.hf:45-13, and in the NCHS Staff Manual on Confidentiality.

Retention and disposal:

Records are maintained permanently until the consultant's death, disability for consultant work, or request that his/her records be removed from the file.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, Maryland 20782.

Notification procedure:

To determine if a record exists, write to the System Manager. Information needed consists of name of individual.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents being sought. Positive identification is required from anyone seeking access. Individuals may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Records are obtained from the consultants themselves, except that references may be obtained from present and former employers or supervisors of the consultants, or from individuals given as references by the consultants.

Systems exempted from certain provisions of the act:

None.

09-20-0169

System name:

Users of Health Statistics, HHS/OASH/NCHS.

Security classification:

None.

System location:

Room 2-19, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782; and offices of contractors employed to survey, process, or otherwise develop information regarding users of data from the National Center for Health Statistics (NCHS). Contractor locations are available upon request directed to the System Manager.

Categories of individuals covered by the system:

Persons who are past, present, or potential users of health statistics and would therefore have special interests in the programs conducted by NCHS, such as (1) persons who subscribe to NCHS publication series, (2) persons who purchase NCHS public use data tapes or publications, (3) persons who contact NCHS to request data or information on health statistics, (4) persons who attend health statistics conferences, and (5) persons known from their publications or otherwise to have a research, legislative, policy, or adminstrative interest in data produced by NCHS.

Categories of records in the system:

This system consists of information relating to the professional health statistical interests of health statistics users, such as their: Name, address, position, organization, education, memberships in professional organizations, special committee and task force assignments, offices held in organizations, publications, health statistics meetings attended, uses made of health statistics, health statistics projects, purchases of NCHS tapes or publications, and expressions of interests and concerns about health statistics.

Authority for maintenance of the system:

Public Health Service Act, Section 308(g)(2) (42 U.S.C. 242m(g)(2), which authorizes the Secretary to take necessary action to assure that appropriate, high quality data are disseminated on as wide a basis as is practicable.

Purpose(s):

NCHS uses the data in detemining how improvements can be made in (1) the content and methodology of its data programs, (2) its data publications, (3) dissemination of health statistics, and (4) meetings or other means for soliciting users' concerns and knowledge sharing.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The Department occasionally contracts with a private firm for the purpose of conducting surveys or collecting, analyzing, aggregating, otherwise refining, or evaluating data in this system. Relevant records are disclosed to such a contractor. The contractor is required to maintain Privacy Act safeguards with respect to such records.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual

3. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The information is contained on paper records and/or computer-readable tape.

Retrievability:

best copy available

Information is retrieved by name, and may also be retrievable by unique identifying number, address, specialty, or other identifying characteristics.

Safeguards:

Measures to prevent unauthorized disclosures are implemented as appropriate for the particular records maintained in each project.

NCHS and its contractors implement personnel, physical, and procedural safeguards such as the following:

(1) Authorized Users: Employees who maintain records in this system are instructed to grant regular access only to authorized contractor personnel, the NCHS project officer, and NCHS employees whose duties require the use of such information. One-time and special access to the data is controlled by the System Manager, the NCHS Project Officer, and the Contract and/or Project Director. Furthermore, all employees of NCHS and contractor personnel with access to NCHS records are required, as a condition of employment, to sign an affidavit binding them to nondisclosure of identifiable individuals' information.

(2) Physical Safeguards: Records are stored in locked files or secured areas. Computer terminals are in secured areas. Computerized files are further protected by the Resources Access Control Facility ("RACF").

(3) Procedural Safeguards: Data stored in computers are accessed through the use of passwords/keywords known only to the principal investigators or authorized personnel. These passwords/keywords are changed frequently.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts for research activities related to this system. The HHS project directors, contract officers, and project officers oversee compliance with these requirements.

The particular safeguards implemented in each project are developed in accordance with chapter 45-13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary chapter PHS hf. 45-13; Part 6, "ADP Systems Security," of the HHS Information Resources Manual; the National Bureau of Standards Federal Information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31).

Retention and disposal:

Records are retained for various periods of time depending upon how useful they are considered to be, in accordance with NCHS policy. Some records of users may be maintained indefinitely. Disposal methods include burning or shredding hard copy and erasing computer tapes and disks.

System manager(s) and address:

Director, National Center for Health Statistics, Center Building, Room 2-19, 3700 East-West Highway, Hyattsville, MD 20782.

Notification procedure:

To determine if a record exists, write to the System Manager. Information needed consists of name and address of individual.

Record access procedures:

Same as notification procedures. Requestors should also reasonably specify the record contents being sought. Positive indentification is required from anyone seeking access. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant

Record source categories:

Records may be obtained from (1) order forms for publications or public use data tapes, (2) mailing lists, (3) registration forms of meeting (4) author information in books and journals, (5) reference citations, and (6) reports of colleagues.

Systems exempted from certain provisions of the act:

None.

Agency for Toxic Substances and Disease Registry

09–19–0001

System name:

Records of Persons Exposed or Potentially Exposed to Toxic or Hazardous Substances, HHS/ATSDR/OHA.

System location:

Division of Health Studies, Agency for Toxic Substances and Disease Registry, Executive Park, Building 35, 1600 Clifton Road, Atlanta, GA 30333.

Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30333.

Data are also located at contractor sites. A list of contractor sites where individually identified data are currently located is available upon request to the System Manager.

Categories of individuals covered by the system:

Individuals exposed or potentially exposed to toxic or hazardous substances may include the following: (1) Selected persons living or having lived near a hazardous waste site; (2) Persons exposed or potentially exposed to environmental hazards resulting from ingestion of contaminated drinking water, persons exposed to contaminated soil, persons living on mining wastes, persons inhaling toxic substances (all of which may or may not be the result of contamination by a specified waste site); (3) Participants in pilot studies (including exposure studies, symptom and disease prevalence studies, cluster investigations), and epidemiologic studies to determine the public health threat of exposure to hazardous or toxic substances; (4) Registry participants with exposures associated with sites listed on the Environmental Protection Agency's (EPA) National Priorities List (NPL), non-NPL sites on which epidemiologic or pilot studies may have been conducted, sites of emergency activities, and other toxic waste sites proposed by concerned citizens; (5) Registry participants with diseases associated or potentially associated with exposure to toxic or hazardous substances; (6) Persons working or having worked in response actions at hazardous waste sites or other occupational settings where exposure to hazardous substances occurred. The first five categories of persons above may include children as well as adults.

Categories of records in the system:

Name, address, (including length of time at current address), telephone number, date of birth, Social Security number, sex, current and past occupations, dates, pathways and routes of toxic or hazardous substance exposure or potential exposure, smoking history, results of medical and laboratory tests, records on biological specimens (e.g. blood, urine, etc.), and related documents such as questionnaire responses. The specific type of records collected and maintained is determined by the needs of the individual registry or study.

Authority for maintenance of the system:

"Comprehensive Environmental Response, Compensation, and Liability Act of 1980" as amended by "Superfund Amendments and Reauthorization Act of 1986" (42 U.S.C. 9601, 9604); and the "Resource Conservation and Recovery Act of 1976" as amended in 1984 (42 U.S.C. 6901).

Purpose(s):

Records in this system are used to carry out the legislated environmental public health mandates of the Agency for Toxic Substances and Disease Registry (ATSDR). Specifically this information is used to: (1) Identify the public health threat caused by exposure to toxic and hazardous substances utilizing pilot studies, epidemiologic studies, and other health effects studies; and (2) establish and maintain national registries of persons exposed to toxic substances and persons with serious diseases and illnesses associated or potentially associated with exposure to toxic substances. Registries will have the additional purposes of tracking exposed individuals, keeping them informed of health effects of exposure, preventive measures and possible breakthroughs in treatment, along with serving as a centralized location for research data on these exposed individuals.

Records may be disclosed to the Center for Environmental Health and Injury Control, Centers for Disease Control, for laboratory analysis of samples and for collaborative efforts (i.e., providing staff, performing statistical analysis, etc.) in coordinating investigations. Records (i.e., name, Social Security number, date of birth) may be disclosed to the National Center for Health Statistics to obtain a determination of vital status. Death certificates with the cause of death will then be obtained from Federal, State, or local agencies to enable ATSDR (1) to determine whether excess mortality is occurring among individuals exposed to toxic or hazardous substances, and (2) to notify similarly exposed persons. Records may also be disclosed to the Social Security Administration for additional sources of locating information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records may be disclosed to Department of Health and Human Services contractors to locate individuals exposed or potentially exposed to toxic or hazardous substances (e.g., in the establishment of the National Exposure Registry), conduct interviews, perform medical examinations, collect and analyze biological specimens, evaluate and interpret data, and perform followup health investigations so that the research purposes for which the records are collected may be accomplished. The contractor must comply with the requirements of the Privacy Act with respect to such records.

2. Records may be disclosed to Federal agencies such as the Environmental Protection Agency (EPA), State and local health departments, and other public health or cooperating medical authorities in connection with program activities and related collaborative efforts to deal more effectively with exposures to hazardous or toxic substances, and to satisfy mandatory reporting requirements when applicable.

3. Records (i.e., name, Social Security number) may be disclosed to other Federal agencies and to missing person location agencies to obtain information to aid in locating individuals involved in these studies.

4. Records may be disclosed for a research purpose, when the Department: (A) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (B) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identified form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (C) has required the recipient to (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except (a) in emergency circumstances affecting the health or safety of any individual, (b) for use in another research project, under these same conditions, and with written authorization of the Department, (c) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (d) when required by law; (D) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

5. Disclosures may be made to a congressional office from the records of an individual, in response to a verified inquiry from the congressional office made at the written request of that individual.

6. In the event of litigation initiated by EPA in collaboration with ATSDR, ATSDR may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent ATSDR. The types of litigative proceedings that ATSDR may request include the recovery of expenses incurred in cleanup operations at Superfund or Resource Conservation and Recovery Act sites, including program and staff costs.

7. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example, in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, computer tapes and disks (hard and floppy).

Retrievability:

By name or Social Security number.

Safeguards:

The following special safeguards are provided to protect the records from inadvertent disclosure:

1. Authorized Users: Access is granted to only a limited number of physicians, scientists, statisticians, and designated support staff of ATSDR or its contractors, as authorized by the system manager to accomplish the stated purposes for which the data in this system have been collected. A list of authorized users will be maintained by the system manager.

2. Physical Safeguards. Questionnaires, log books, and other source data are maintained in locked cabinets in locked rooms, 24-hour guard service in buildings, personnel screening of visitors, electronic anti-intrusion devices in operation at the Federal Records Center (FRC), fire extinguishers, overhead sprinkler system, and card-access control equipment in the mainframe computer room (Clifton Road facility), computer terminals, lockable personal computers, and automated records located in secured areas.

3. Procedural Safeguards: Protection for computerized records includes programmed verification of valid user identification code, account code and password prior to acceptance of a terminal session or job submission, computer software to control access, frequently changed passwords, and Fault Management System.

Knowledge of individual tape passwords is required to access tapes, and acces to systems is limited to users obtaining prior supervisory approval. When Privacy Act tapes are scratched, a special "certified" process is performed in which tapes are completely written over to avoid inadvertent data disclosure. When possible, a backup copy of data is stored at an offsite location and a log kept of all changes to each file and all persons reviewing the file. Selected safeguards will be applicable to specific elements of the system, as appropriate. Additional safeguards may also be built into the program by the system analyst as warranted by the sensitivity of the specific data set.

ATSDR and contractor employees who maintain records are instructed in specific procedures to protect the security of records, and are to check with the system manager prior to making disclosures of data. When individually identified data are being used in a room, admittance at either ATSDR or contractor sites is restricted to specifically authorized personnel.

Appropriate Privacy Act provisions are included in contracts and the ATSDR Project Director, contract officers, and project officers oversee compliance with these requirements. Upon completion of the contract, all data will be either returned to ATSDR or destroyed, as specified by the contract.

4. Implementation Guidelines: The safeguards outlined above are developed in accordance with Chapter 45–13, "Safeguarding Records Contained in Systems of Records," of the HHS General Administration Manual, supplementary Chapter PHS.hf: 45–13; Part 66, "Automated Information Systems Security," of the HHS Information Resources Management Manual; the National Bureau of Standards Federal information Processing Standards (FIPS Pub. 41 and FIPS Pub. 31). FRC safeguards are in compliance with GSA Federal Property Management Regulations, Subchapter B-Archives and Records.

Retention and disposal:

ATSDR retains records in accordance with the CDC Records Control Schedule Item 37, which allows the system manager to keep the records for 20 years unless needed for further study. Registry records will be actively maintained as long as funding is provided for by legislation. Contractors will retain the records only as long as necessary to complete data collection and verify ATSDR's receipt of the data in usable form. Record copy of study reports is maintained in the agency from two to three years in accordance with retention schedules. Source documents for computer tapes or disks are disposed of when no longer needed in the study as determined by the system manager, and as provided in the signed consent form, as appropriate.

Records may be transferred to a Federal Records Center for storage when no longer needed for evaluation or analysis. Disposal methods include the paper recycling process, burning or shredding hard copy records, and erasing computer tapes and disks.

System manager(s) and address:

Director, Division of Health Studies, Agency for Toxic Substances and Disease Registry, Executive Park, Bldg. 35, 1600 Clifton Road, Atlanta, GA 30333;

Notification procedure:

An individual may learn if a record exists about himself/herself by contacting the appropriate system manager at the address above. Persons who knowingly and willfully request or acquire a record pertaining to an individual under false pretenses are subject to criminal prosecution. Requesters in person must provide photo identification (such as driver's license) or other positive identification that would authenticate the identity of the individual making the request. Individuals who do not appear in person must submit a request which has been notarized to verify their identity. A parent or guardian who requests notification of, or access to, a minor's medical record must provide a birth certificate (or notarized copy), court order, or other competent evidence of guardianship. An individual who requests notification of, or access to, a medical record shall at the time the request is made, designate in writing a responsible representative (who may be a physician, other health professional, or other responsible individual) who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

In addition, the following information should be provided when requesting notification: (1) Full name and Social Security number; (2) nature of the study, or probable exposure or disease subregistry which might include the requester.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An accounting of disclosures that have been made of the record, if any, may also be requested.

Contesting record procedures:

Contact the system manager at the address specified above, reasonably identify the record and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Subject individuals, families of deceased individuals, concerned citizens associated with a particular site, State and local health departments, physican records, hospital records, Social Security Administration, Environmental Protection Agency and other agencies responsible for environmental public health.

Systems exempted from certain provisions of the act:

None.

Indian Health Service

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09-17-0002 Indian Health Service Scholarship Programs, HHS/IHS/OHP
09-17-0003 Indian Health Service Staff Credentials and Privileges Records, HHS/IHS/OHP

09-17-0001

System name:

Health and Medical Records Systems, HHS/IHS/OHP.

Security classification:

None.

System location:

Indian Health Service (IHS) hospitals, health centers, school health centers, health stations, field clinics, Service Units, IHS Area Offices (Appendix 1), and Regional Federal Records Centers (Appendix 2). Automated records, including Patient Care Information System (PICS) records, are stored at the Data Processing Service Center, IHS, located in Albuquerque, New Mexico (Appendix 1). Records may also be located at hospitals and offices of health care providers who are under contract to IHS. A current list of contractor sites is available by writing to the appropriate System Manager (Area or Service Unit Director) at the address shown in Appendix 1.

Categories of individuals covered by the system:

Individuals, including both IHS beneficiaries and nonbeneficiaries, who are examined/treated on an inpatient and/or outpatient basis by IHS staff and/or contract (including tribal contract) health care providers.

Categories of records in the system:

1. Health and medical records containing: Examination, diagnostic and treatment data; proof of eligibility; social data such as name, address, data of birth, tribe; case records for special programs such as: Dental, social service, mental health, nursing; and laboratory test results. 2. Follow-up registers of individuals with specific health conditions or a particular health status such as: Tumors, communicable diseases, hospital commitment, suspected and confirmed physical child abuse and neglect, immunizations, self-destructive behavior, or handicap. 3. Logs of individuals provided health care by staffs of specific hospital components such as: Surgery, emergency, obstetric delivery, x-ray and laboratory. 4. Operation and/or disease indices for particular hospitals which list each relevant patient by the operation or disease. 5. Monitoring strips and tapes such as fetal monitoring strips and EEG and EKG tapes. 6. In the Achorage, Alaska; Billings, Montana; and Tucson, Arizona Area Offices automated patient medical records are maintained in the Patient Care Information System (PCIS) which provides for structured patient medical summaries to IHS and contract health care providers, such as: Name; beneficiary code; Social Security Number (SSN) (voluntary); address; tribe; date of birth; and examination, diagnostic and treatment results. 7. Third-party reimbursement records containing name, address, date of birth, date of admission and Medicare or Medicaid claim numbers, SSN (voluntary), health plan name, insurance number, employment status, and other relevant claim information necessary to process and validate third-party reimbursement claims.

Authority for maintenance of the system:

Section 321 of the Public Health Service Act, as amended, (42 U.S.C. 248), "Hospitals, Medical Examinations and Medical Care." Section 327A of the Public Health Service Act, as amended, (42 U.S.C. 254a-1), "Hospital-Affiliated Primary Care Centers." Indian Self Determination and Education Assistance Act (25 U.S.C. 450). Snyder Act (25 U.S.C. 13). Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.). Construction of Community Hospitals Act (25 U.S.C. 2005-2005f). Indian Health Service Transfer Act (42 U.S.C. 2001-2004).

Purpose(s):

The purposes of this system are:

1. To provide a description of a patient's illness, the treatment administered and results achieved, and to plan for future care of the patient.

2. To provide IHS program officials with statistical data upon which the health care program is evaluated and modified to meet future needs.

3. To serve as a means of communication among members of the health care team who contribute to the patient's care by integrating information from field visits with that from IHS facilities which have provided treatment.

4. To serve as the official documentation of health care rendered.

5. To contribute to continuing education of IHS staff to improve their competency to deliver health care services.

6. For disease surveillance purposes. For example:

(a) The Centers for Disease Control may use these records for their monitoring of various communicable diseases among persons residing within the United States; and

(b) The National Institutes of Health may use these records for their review of the prevalence of particular diseases (i.e., malignant neoplasms, diabetes mellitus, arthritis, metabolism and digestive diseases) for various ethnic groups of the Nation.

7. To compile and provide aggregated program statistics. Upon request of other components of the Department, IHS will provide statistical information, from which individual identifiers have been removed, such as:

(a) To the National Center for Health Statistics, for its dissemination of aggregated health statistics for various ethnic groups;

(b) To the Assistant Secretary for Population Affairs to keep a record of the number of sterilizations provided through the use of Federal funds;

(c) To the Health Care Financing Administration for the documentation of IHS health care covered by the Medicare and Medicaid programs for third-party reimbursement; and

(d) To the Bureau of Support Services, Health Care Financing Administration, to determine the prevalence of end-stage renal disease among the American Indian and Alaska Native population and to coordinate the care of American Indian and Alaska Native patients with this condition.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

If an individual receives treatment, or referral for treatment, for alcohol or drug abuse, then the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations, 42 CFR Part 2 may apply. In general under these regulations, the only disclosures of the alcohol or drug abuse record which may be made without patient consent are: (1) To meet medical emergencies (42 CFR Part D, section 2.51), (2) for research, audit, evaluation and examination (42 CFR Part D, sections 2.52 and 2.53), (3) pursuant to a court order (42 CFR 2.61-2.67), and (4) pursuant to a qualified service organization agreement, as defined in 42 CFR 2.11. In all other situations, written consent of the patient is usually required prior to disclosure of alcohol or drug abuse information under the routine uses listed below.

Individuals acting in loco parentis to minors, as well as parents, legal guardians, and custodians may act on behalf of the subject individual for purposes of giving consent for disclosures to others when it is determined that the subject individual is a minor who is unable to or cannot exercise with appropriate understanding, the right of consent by himself or herself.

1. Records may be disclosed to State, local or other authorized organizations which provide health services to American Indians and Alaska Natives, or provide third-party reimbursement or fiscal intermediary functions, for the purpose of planning for or providing such services, billing or collecting third-party reimbursements and reporting results of medical examination and treatment.

2. Records may be disclosed to Federal and non-Federal school systems which serve American Indians and Alaska Natives for the purpose of student health maintenance.

3. Records may be disclosed to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits, or utilization review.

4. Records may be disclosed to authorized organizations, such as the United States Office of Technology Assessment, or individuals for conduct of analytical and evaluation studies sponsored by the IHS.

5. Records may be disclosed to a congressional office in response to an inquiry from that office made at the request of the subject individual.

6. A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to—(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except—(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law;

(d) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

7. Information regarding the commission of crimes or the reporting of occurrences of communicable diseases, suspected or confirmed physical child abuse or neglect, births, or deaths, etc., may be disclosed by health providers and facilities to State and local agencies as required by State and local law. The disclosure of patient information on alcohol or drug abuse for purposes of criminal investigations or prosecution of the patient must be authorized by court order issued under 42 CFR 2.65.

8. Information regarding suspected cases of physical child abuse or neglect may be disclosed to members of community child protective teams (comprised of representatives of tribes, Bureau of Indian Affairs, a child protective service agency, the judicial system(s) (local, State, tribal), law enforcement officers (State, county, Tribal or local)) and IHS for the purposes of establishing a diagnosis, formulating a treatment plan, monitoring the plan, investigating reports of suspected physical child abuse or neglect and making recommendations to the appropriate court of competent jurisdiction. The disclosure of patient information on alcohol or drug abuse for purpose of criminal investigation or prosecution of the patient for suspected child abuse or neglect must be authorized by a court order issued under 42 CFR 2.65.

9. The Department may disclose information from this system of records to the Department of Justice, to a court or other tribunal, or to another party before such tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the tribunal, or the other party is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

10. Records may be disclosed to the Bureau of Indian Affairs and its contractors for the identification of American Indian and Alaska Native handicapped children to permit that Bureau to carry out the Education for All Handicapped Children Act of 1975 (20 U.S.C. 1401 et. seq.).

11. Records may be disclosed to an IHS contractor for the purpose of computerized data entry or maintenance of records contained in this system. The contractor shall be required to maintain Privacy Act safeguards with respect to the receipt and processing of such records.

12. Records may be disclosed to a health care provider under contract to IHS (including tribal contractors) to permit the contractor to obtain health and medical information about the subject individual in order to provide appropriate health services to that individual. The contractor shall be required to maintain Privacy Act safeguards with respect to the receipt and processing of such records.

13. Records may be disclosed to the State of Alaska, Department of Health and Social Services (DHSS) (which supplies part or all of this information to IHS), in response to its request for patient summaries, portions of immunization registers, disease indices and other computer-generated medical summaries. This information assists DHSS in its provision of health care to the subject individual. Disclosure to the State of Alaska's DHSS is limited to information concerning its patients.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, ledgers, card files, microfiche, microfilm, punch cards, computer tapes, disk packs and automatic files.

Retrievability:

Indexed by name, record number, and SSN and cross-indexed. SSN is supplied on a voluntary basis.

Safeguards:

1. Authorized Users:

Access is limited to authorized IHS personnel and IHS contractors and subcontractors in the performance of their duties. Authorized personnel include: Medical records personnel, health care providers, authorized researchers, medical audit personnel, and health care team members.

2. Physical Safeguards:

Records are kept in locked metal filing cabinets or in a secured room at all times when not actually in use during working hours and at all times during nonworking hours. Magnetic tapes, disks, other computer equipment and other forms of personal data are stored in areas where fire and life safety codes are strictly enforced.

Telecommunication equipment (computer terminals, modems and disks) of the Patient Care Information System (PCIS) are maintained in locked rooms during nonworking hours. Combinations on door locks are changed periodically and whenever a PCIS employee resigns, retires or is reassigned.

3. Procedural Safeguards:

Within each facility a list of personnel or categories of personnel having a demonstable need for the records in the performance of their duties has been developed and is maintained. Procedures have been developed and implemented to review one-time requests for disclosure to personnel who may not be on the authorized user list. Proper charge-out procedures are followed for the removal of all records from the area in which they are maintained. Persons who have a need to know are entrusted with records from this system of records and instructed to safeguard the confidentiality of these records. They are to make no further disclosure of the records except as authorized by the system manager and permitted by the Privacy Act, and to destroy all copies or to return such records when the need to know has expired. Procedural instructions include the statutory penalties for noncompliance.

The following automated information systems (AIS) security procedural safeguards are in place for automated health and medical records maintained in the Patient Care Information System. A profile of automated systems security is maintained. Security clearance procedures for screening individuals, both Government and contractor personnel, prior to their participation in the design, operation, use or maintenance of IHS automated information systems are implemented. The use of current passwords and log-on codes are required to protect sensitive automated data from unauthorized access. Such passwords and codes are changed periodically. An automated audit trail is maintained. Only authorized IHS Data Processing Service Center staff may modify automated files in batch mode. Personnel at remote terminal sites may only retrieve automated data. Such retrievals are password protected.

Privacy Act requirements and specified Automated Information System security provisions are specifically included in contracts and agreements and the system manager or his/her designee oversee compliance with these contract requirements.

4. Implementing Guidelines:

DHHS Chapter 45-13 and supplementary Chapter PHS.hf:45-13 of the General Administraton Manual; and Part 6, ADP Systems Security," of the DHHS Information Resources Management Manual.

Retention and disposal:

Patient listings which may identify individuals are maintained in IHS Area and Program Offices permanently. Inactive records are held at the facility which provided health services from three to seven years and then are transferred to the appropriate Federal Records Center. Monitoring strips and tapes (i.e., fetal monitoring strips and EEG and EKG tapes) which are not stored in the patient's official medical record, are stored at the health facility for one year and are then transferred to the appropriate Federal Records Center. (See Appendix 2 for Federal Record Center addresses.) Records are retained at the Regional Federal Records Centers for 25 years. Disposal methods include burning or shredding of hard copy and erasing of magnetic media.

System manager(s) and address:

Policy-Coordinating Official: Director, Division of Clinical and Preventive Health Services, Indian Health Service, 5600 Fishers Lane, Room 6A-55, Rockville, Maryland 20857.

See Appendix 1. The IHS Area/Program Office Directors and Service Unit Directors listed in Appendix 1 are System Managers.

Notification procedure:

General Procedure:

Requests must be made to the appropriate System Manager (IHS Area/Program Office Director or Service Unit Director). An individual who requests a copy of, or access to, a medical record shall at the time the request is made designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. Such a representative may be an IHS health professional. When an individual is seeking to obtain information about himself/herself which may be retrieved by a different name or identifier than his/her current name or identifier, he/she shall be required to produce evidence to verify that he/she is the person whose record he/she seeks.

No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests In Person:

Identification papers with current photographs are preferred but not required. If a subject individual has no identification but is personally known to the designated agency employee, such employee shall make a written record verifying the subject individual's identity. If the subject individual has no identification papers, the responsible system manager or designated agency official shall require that the subject individual certify in writing that he/she is the individual whom he/she claims to be and that he/she understands that the knowing and willful request or acquisition of records concerning an individual under false pretenses is a criminal offense subject to a 5,000 fine. If an individual is unable to sign his/her name when required, he/she shall make his/her mark and have the mark verified in writing by two additional persons.

Requests By Mail:

Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes. If the written request does not contain sufficient information, the System Manager shall inform the requester in writing that additional, specified information is required to process the request.

Requests By Telephone:

Since positive identification of the caller cannot be established, telephone requests are not honored.

Parents And Legal Guardians:

Parents of minor children and legal guardians of legally incompetent individuals shall verify their own identification in the manner described above, as well as their relationship to the individual whose record is sought. A copy of the child's birth certificate or court order establishing legal guardianship may be required if there is any doubt regarding the relationship of the individual to the patient.

Record access procedures:

Same as Notification Procedures. Requesters should also provide a reasonable description of the record being sought. Requesters may also request an accounting of disclosures that have been made of their record, if any.

Contesting record procedures:

Write to the appropriate IHS Area/Program Office Director of Service Unit Director at his/her address specified in Appendix 1, and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Patient and/or family members, IHS health care personnel, contract health care providers, State and local health care provider organizations, and Medicare and Medicaid funding agencies.

Systems exempted from certain provisions of the act:

None.

Appendix 1—System Managers and IHS Locations Under Their Jurisdiction Where Records Are Maintained

Director, Aberdeen Area Indian Health Service, Federal Building, 115 Fourth Avenue, SE., Aberdeen, South Dakota 57401

Director, Rapid City Service Unit, Rapid City Indian Hospital, Rapid City, South Dakota 57702

Director, Cheyenne River Service Unit, Eagle Butte Indian Hospital, Eagle Butte, South Dakota 57625

Director, Fort Berthold Service Unit, Minni-Tohe Indian Health Center, New Town, North Dakota 58763

Director, Fort Totten Service Unit, Fort Totten Indian Health Center, Fort Totten, North Dakota 58335

Director, Pine Ridge Service Unit, Pine Ridge Indian Hospital, Pine Ridge, South Dakota 57770

Officer in Charge, Wanblee Indian Health Center, Wanblee, South Dakota 57577

Director, Rosebud Service Unit, Rosebud Indian Hospital, Rosebud, South Dakota 57570

Director, Sisseton-Wahpeton Service Unit, Sisseton Indian Hospital, Sisseton, South Dakota 57262

Director, Wahpeton Indian School Health Center, Wahpeton, North Dakota 58075

Director, Standing Rock Service Unit, Fort Yates Indian Hospital, Fort Yates, North Dakota 58538

Director, McLaughlin Indian Health Center, McLaughlin, South Dakota 57642

Director, Turtle Mountain Service Unit, Belcourt Indian Hospital, Belcourt, North Dakota 58316

Director, Omaha-Winnebago Service Unit, Winnebago Indian Hospital, Winnebago, Nebraska 68071

Director, Yankton-Wagner Service Unit, Wagner Indian Hospital, Wagner South Dakota 57380

Director, Pierre Service Unit, Ft. Thompson Indian Health Station, Ft. Thompson, South Dakota 57339

Director, Pierre Indian School Health Center, c/o Ft. Thompson Indian Health Station, Ft. Thompson, South Dakota 57339

Director, Lower Brule Indian Health Center, Lower Brule, South Dakota 57584

Director, Bemidji Area Office, Indian Health Service, 203 Federal Building, Bemidji, Minnesota 56601

Director, Eastern Michigan Service Unit, Kincheloe Indian Health Center, Kincheloe, Minnesota 49788

Director, Leach Lake Service Unit, Cass Lake Indian Hospital, Cass Lake, Minnesota 56633

Director, Inger Indian Health Station, Inger Route, Deer River, Minnesota 56636

Director, Squaw Lake Indian Health Station, Squaw Lake, Minnesota 56681

Director, Ball Club Indian Health Station, Ball Club, Minnesota 56622

Director, Onigum Indian Health Station, Star Route, Walker, Minnesota 56484

Director, Red Lake Service Unit, Red Lake Indian Hospital, Red Lake, Minnesota 56671

Director, Ponemah Indian Health Station, Ponemah, Minnesota 56666

Director, White Earth Service Unit, White Earth Indian Health Center, White Earth, Minnesota 56591

Director, Naytahwaush Indian Health Station, Naytahwaush, Minnesota 56566

Director, Pine Point Indian Health Station, White Earth, Minnesota 56591

Director, Alaska Native Health Service, 250 Gambell Street, Third and Gambell Street, Anchorage, Alaska 99501

Director, Anchorage Service Unit, PHS, Alaska Native Medical Center, P.O. Box 107741, Anchorage, Alaska 99510

Director, Alaska Native Health Center, St. George Island, Alaska 99660

Director, Alaska Native Health Center, St. Paul Island, Alaska 99660

Director, Barrow Service Unit, Barrow Alaska Native Hospital, Barrow, Alaska 99723

Director, Southeast Area Regional Health Center, 3272 Hospital Drive, Juneau, Alaska 99801

Director, Kotzebue Service Unit, Kotzebue Alaska Native Hospital, Kotzebue, Alaska 99752

Director, Ketchikan Alaska Native Health Center, 3289 Tongass Avenue, Ketchikan, Alaska 99901

Director, Annette Islands Service Unit, Metlakatla Alaska Native Health Center, Box 428, Metlakatla, Alaska 99926

Director, Yukon-Kuskokwim-Delta Service Unit, Yukon-Kuskokwim-Delta Regional Hospital, Indian Health Service, Bethel, Alaska 99559

Director, Albuquerque Area Indian Health Service, 505 Marquette, NW., Suite 1502, Albuquerque, New Mexico 87102-0097

Director, Albuquerque Service Unit, Albuquerque Indian Hospital, 801 Vassar Drive, NE., Albuquerque, New Mexico 87106

Director, Isleta Indian Health Center, P.O. Box 429, Isleta, New Mexico 87022

Director, Jemez Indian Health Center, P.O. Box 256, Jemez Pueblo, New Mexico 87024

Chief Dental Program, IHS Dental Training Center, Southwestern Indian Polytechnical Inst., 9168 Coors Road, NW., P.O. Box 25927, Albuquerque, New Mexico 87125

Director, Indian School Health Center, Southwestern Indian Polytechnical Inst., 9168 Coors Road, NW., P.O. Box 25927, Albuquerque, New Mexico 87125

Director, Sandia Indian Health Station, Sandia, New Mexico 87047

Director, Santa Ana Indian Health Station, P.O. Box 580, Bernalillo, New Mexico 87004

Director, Zia Indian Health Station, General Delivery, San Ysidro, New Mexico 87053

Director, Mescalero Service Unit, Mescalero Indian Hospital, P.O. Box 210, Mescalero, New Mexico 88340

Director, Santa Fe Service Unit, Santa Fe Indian Hospital, 1700 Cerrillos Road, Santa Fe, New Mexico 87501

Director, Dulce Indian Health Center, Dulce, New Mexico 87528

Director, Taos Indian Health Center, Taos, New Mexico 87571

Director, Santa Clara Indian Health Center, P.O. Box 1322, Espanola, New Mexico 87532

Director, Santo Domingo Indian Health Station, Santo Domingo, New Mexico 87052

Director, San Juan Indian Health Station, San Juan, New Mexico 87566

Director, Cochiti Indian Health Station, Cochiti, New Mexico 87041

Director, San Felipe Indian Health Station, General Delivery, San Felipe Pueblo, New Mexico 87001

Director, Southern Colorado-Ute Service Unit, P.O. Box 778, Ignacio, Colorado 81137

Director, Ignacio Indian Health Center, Ignacio, Colorado 81137

Director, Towaoc Indian Health Center, Towaoc, Colorado 81334

Director, White Mesa Indian Health Station, General Delivery, Towaoc, Colorado 81334

Director, Zuni-Ramah Service Unit, Zuni Indian Hospital, Zuni, New Mexico 87327

Director, Acoma-Canoncito-Laguna Service Unit, Acoma-Canoncito-Laguna Indian Hospital, P.O. Box 130, San Fidel, New Mexico 87049

Director, Laguna Indian Health Center, P.O. Box 199, New Laguna, New Mexico 87038

Director, Canoncito Indian Health Station, c/o Acoma-Canoncito-Laguna Indian Hospital, P.O. Box 130, San Fidel, New Mexico 87049

Director, Billings Area Indian Health Service, P.O. Box 2143, 711 Central Avenue, Billings, Montana 59103

Director, Blackfeet Service Unit, Browning, Indian Hospital, Browning, Montana 59417

Director, Heart Butte Indian Health Station, Heart Butte, Montana 59448

Director, Crow Service Unit, Crow Indian Hospital, Crow Agency, Montana 59022

Director, Lodge Grass Indian Health Center, Lodge Grass, Montana 59050

Director, Pryor Indian Health Station, Pryor, Montana 59066

Director, Flathead Service Unit, St. Ignatius Indian Health Center, St. Ignatius, Montana 59865

Director, Polson Indian Health Center, 320-B 4th Avenue East, Polson, Montana 59860

Director, Fort Belknap Service Unit, Harlem Indian Hospital, Harlem, Montana 59526

Director, Hays Indian Health Station, Hays, Montana 59527

Director, Fort Peck Service Unit, Poplar Indian Health Center, Poplar, Montana 59255

Director, Wolf Point Indian Health Center, Wolf Point, Montana 59201

Director, Wind River Service Unit, Fort Washakie Indian Health Center, Fort Washakie, Wyoming 82514

Director, Arapahoe Indian Health Center, Arapahoe, Wyoming 82510

Director, Northern Cheyenne Service Unit, Lame Deer Indian Health Center, Lame Deer, Montana 59043

Director, Rocky Boy's Service Unit, Box Elder Indian Health Center, Box Elder, Montana 59521

Director, Navajo Area Indian Health Service, P.O. Box G, Window Rock, Arizona 86515-0190

Director, Chinle Service Unit, Chinle Indian Hospital, P.O. Drawer P.H., Chinle, Arizona 86503

Director, Tsailee Indian Health Center, P.O. Box 467, Tsailee, Arizona 86556

Director, Many Farms Indian School Health Center, c/o Chinle Comprehensive Health Facility, P.O. Box P.H., Chinle, Arizona 86503

Director, Pinon Indian Health Station, Pinon, Arizona 86510

Director, Rock Point Indian Health Station, c/o Chinle Comprehensive Health Facility, P.O. Box P.H., Chinle, Arizona 86503

Director, Crownpoint Service Unit, Crownpoint Indian Hospital, Crownpoint, New Mexico 87313

Director, Pueblo Pintado Clinic, c/o Community Health Services, Crownpoint Indian Hospital, Crownpoint, New Mexico 87313

Director, Fort Defiance Service Unit, Fort Defiance Indian Hospital, Fort Defiance, Arizona 86504

Medical Officer in Charge, Toyei Indian Health Clinic, Fort Defiance, Arizona 86504

Director, Shiprock Service Unit, Shiprock Indian Hospital, P.O. Box 160, Shiprock, New Mexico 87420

Director, Teec Nos Pos Indian Health Center, P.O. Drawer D., Teec Nos Pos, Arizona 86514

Director, Dzilth-Na-O-Dith-Le Indian Health Center, Star Route 4, P.O. Box 5400, Bloomfield, New Mexico 87413

Director, Sansostee Indian Health Clinic, c/o Shiprock Indian Hospital, Field Health, Shiprock, New Mexico 87420

Director, Todalena Indian Health Clinic, c/o Shiprock Indian Hospital, Field Health, Shiprock, New Mexico 87420

Director, Gallup Service Unit, Gallup Indian Medical Center, P.O. Box 1337, Gallup, New Mexico 87301

Medical Officer in Charge, Tohatchi Indian Health Center, P.O. Box 142, Tohatchi, New Mexico 87325

Medical Officer in Charge, Fort Wingate Indian School Health Center, Fort Wingate, New Mexico 87316

Director, Kayenta Service Unit, Kayenta Indian Health Center, P.O. Box 368, Kayenta, Arizona 86033

Director, Inscription House Indian Health Center, P.O. Box 7397, Shonto, Arizona 86054

Director, Dennhotso Indian Health Center, c/o Kayenta Indian Health Center, Kayenta, Arizona 86033

Director, Tuba City Service Unit, Tuba City Indian Hospital, Tuba City, Arizona 86045

Director, Winslow Service Unit, Winslow Indian Health Center, P.O. Drawer 40, Winslow, Arizona 86047

Director, Dilkon Indian Health Center, P.O. Drawer 40, Winslow, Arizona 86047

Director, Leupp Indian School Health Center, c/o Winslow Indian Health Center, P.O. Drawer 40, Winslow, Arizona 86047

Director, Leupp Indian Health Center, c/o Winslow Indian Health Center, Community Health Services, P.O. Drawer 40, Winslow, Arizona 86047

Director, Oklahoma City Area Indian Health Service, 215 Dean A. McGee Street NW., Oklahoma City, Oklahoma 73102-3477

Director, Ada Service Unit, Carl Albert Indian Hospital, 1001 North Country Club Drive, Ada, Oklahoma 74820

Director, Wewoka Indian Health Center, Wewoka, Oklahoma 74884

Director, Claremore Service Unit, Claremore Comprehensive Indian Health Facility, Claremore, Oklahoma 74017

Director, Miami Indian Health Center, P.O. Box 1498 Miami, Oklahoma 74354

Director, Locust Grove Indian Health Station, Locust Grove, Oklahoma 74352

Director, Clinton Service Unit, Clinton Indian Hospital, Route 4, Box 213, Clinton, Oklahoma 73601

Director, Watonga Indian Health Center, P.O. Box 878, Watonga, Oklahoma 73772

Director, Concho Indian Health Clinic, P.O. Box 150, Concho, Oklahoma 73022

Director, Kansas Service Unit, Holton Indian Health Center, 100 West 16th Street, Holton, Kansas 66436

Facility Director, Lawrence (Haskell) Indian Health Center, 2415 Massachusetts Avenue, Lawrence, Kansas 66044

Director, Lawton Service Unit, Lawton Indian Hospital, Lawton, Oklahoma 73501

Director, Anadarko Indian Health Center, P.O. Box 828, Anadarko, Oklahoma 73005

Director, Riverside Indian Health Station, Anadarko, Oklahoma 73005

Director, Carnegie Indian Health Center, Carnegie, Oklahoma 73015

Director, Pawnee Service Unit, Pawnee Indian Health Center, Rural Route 2, Box 1, Pawnee, Oklahoma 74058

Director, Pawhuska Indian Health Center, 715 Grandview, Pawhuska, Oklahoma 74056

Director, White Eagle Indian Health Center, P.O. Box 2071, Ponca City, Oklahoma 74601

Director, Shawnee Service Unit, Shawnee Indian Health Center, 2001 South Gordon Cooper Drive, Shawnee, Oklahoma 74801

Director, Tahlequah Service Unit, W.W. Hastings Indian Hospital, 100 S. Bliss, Tahlequah, Oklahoma 74464

Director, Jones Academy Indian Health Station, Heartshorne, Oklahoma 74547

Director, Phoenix Area Indian Health Service, 3738 N. 16th Street, Suite A, Phoenix, Arizona 85016-5981

Director, Colorado River Service Unit, Parker Indian Hospital, Route 1, P.O. Box 12 Parker, Arizona 85344

Director, Peach Springs Indian Health Center, Peach Springs, Arizona 86434

Director, Chemehuevi Indian Health Clinic, Chemehuevi Valley, California 92363

Director, Havasupai Indian Health Station, Supai, Arizona 86435

Director, Fort Yuma Service Unit, Fort Yuma Indian Hospital, P.O. Box 1368, Fort Yuma, Arizona 85364

Director, Sherman Indian School Health Center, 8934 Magnolia, Riverside, California 92503

Director, Keams Canyon Service Unit, Keams Canyon Indian Hosptial, P.O. Box 98, Keams Canyon, Arizona 86034

Director, Second Mesa Indian Health Center, P.O. Box General Delivery, Second Mesa, Arizona 86043

Director, Owyhee Service Unit, Owyhee Indian Hospital, P.O. Box 212, Owyhee, Nevada 89832

Director, Southern Bank Indian Health Clinic, 1545 Silver Eagle Road, Elko, Nevada 89801

Director, Phoenix Service Unit, Phoenix Indian Medical Center, 4212 North 16th St., Phoenix, Arizona 85016

Director, Fort Mcdowell Indian Health Station, c/o Phoenix Indian Medical Center, 4212 North 16th Street, Phoenix, Arizona 86016

Director, Salt River Indian Health Center, Route 1, Box 215, Scottsdale, Arizona 85256

Director, Gila Crossing Indian Health Clinic, Route 1, Box 770, Laveen, Arizona 85339

Director, San Lucy Indian Health Station, c/o Phoenix Indian Medical Center, 4212 North 16th Street, Phoenix, Arizona 85016

Director, Phoenix Indian School Health Center, c/o Phoenix Indian Medical Center, 4212 North 16th Street, Phoenix, Arizona 85016

Director, Sacaton Service Unit, Sacaton Indian Hospital, Sacaton, Arizona 85247

Director, San Carlos Service Unit, San Carlos Indian Hospital, San Carlos, Arizona 85550

Director, Bylass Indian Health Center, P.O. Box 208, San Carlos, Arizona 85550

Director, Schurz Service Unit, Schurz Indian Hosptial, Schurz, Nevada 89427

Director, Stewart Indian Health Station, Stewart, Nevada 89437

Director, Fort McDermitt Indian Health Station, P.O. Box 475, McDermitt, Nevada 89421

Director, Pyramid Lake Indian Health Clinic, Nixon, Nevada 89424

Director, Unitah and Ouray Service Unit, Fort Duchesne Indian Health Center, P.O. Box 160, Roosevelt, Utah 84066

Director, Whiteriver Service Unit, Whiteriver Indian Hosptial, Whiteriver, Arizona 85941

Director, Cibicue Indian Health Center, Cibicue, Arizona 85941

Director, Portland Area Indian Health Service, Room 476, Federal Building, 1220 Southwest Third Avenue, Portland, Oregon 97204-2892

Director, Chemawa Indian Health Center, 3750 Hazelgreen Road, NE. Salem, Oregon 97303

Director, Colville Service Unit, Colville Indian Health Center, Nespelem, Washington 99155

Director, Inchellium Indian Health Center Inchellium, Washington 99138

Director, Fort Hall Service Unit, Fort Hall Indian Health Center, P.O. Box 317, Fort Hall, Idaho 83203

Director, Northern Idaho Service Unit, Northern Idaho Indian Health Center, P.O. Drawer 367, Lapawai, Idaho 83540

Director, Kamiah Indian Health Station, Kamiah, Idaho 83536

Director, Coeur d'Alene Indian Health Station, Coeur d'Alene, Idaho 83814

Director, Warm Springs Service Unit, Wellpinit Indian Health Center, P.O. Box 357, Wellpinit, Oregon 99040

Director, Puget Sound Service Unit, Puget Sound Indian Health Station, 1212 South Judkins, Seattle, Washington 98144

Director, Yakima Service Unit, Yakima Indian Health Center, Route 1, Box 1104, Toppenish, Washington 98948

Director, Yellowhawk Service Unit, Yellowhawk Indian Health Center, P.O. Box 160, Pendleton, Oregon 97801

Director, Taholah Service Unit, Taholah Indian Health Center, P.O. Box 219, Taholah, Washington 98587

Director, Queets Indian Health Station, c/o Service Unit, Director, Taholah Indian Health Center, P.O. Box 219, Taholah, Washington 98587

Director, Neah Bay Service Unit, Neah Bay Indian Health Center, P.O. Box 418, Neah Bay, Washington 98357

Director, Northwest Washington Service Unit, Lummi Indian Health Center, 2592 Kwina Road, Bellingham, Washington 98225

Director, Tucson Area Office, Indian Health Service, 7900 S. J. Stock Road, Tucson, Arizona 85746-9352

Director, Sells Service Unit, Sells Indian Hospital, P.O. Box 548, Sells, Arizona 85634

Director, Santa Rosa Indian Health Center, Star Route, Box 71, Sells, Arizona 85634

Director, San Xavier Indian Health Center, 7900 S. J. Stock Road, Tucson, Arizona 85734

Director, Nashville Area Office, Indian Health Service, Oak Towers Building, 1101 Kermit Drive, Suite 810, Nashville, Tennessee 37217-2191

Director, Cherokee Service Unit, Cherokee Indian Hospital, Cherokee, North Carolina 28719

Director, California Area Office, Indian Health Service, 2999 Fulton Avenue, Sacramento, California 95821

Appendix 2—Federal Archives and Records Centers

District of Columbia, Maryland except U.S. Court Records for Maryland, Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409

GSA Region 1—Connecticut, Maine, and Rhode Island, Federal Archives and Records Center, 380 Trapelo Road, Waltham, MA 02154

GSA Region 2—New York, Federal Archives and Records Center, Military Ocean Terminal, Bldg. 22, Bayonne, NJ 07002

GSA Region 3—Pennsylvania, Federal Archives and Records Center, 5000 Wissahickon Avenue, Philadelphia, PA 19144

GSA Region 4—Alabama, Florida, Mississippi and North Carolina, Federal Archives and Records Center, 1557 St. Joseph Avenue, East Point, GA 30344

GSA Region 5—Wisconsin, Minnesota and U.S. Court Records for Michigan, Federal Archives and Records Center, 7358 South Pulaski Road, Chicago, IL 60629

GSA Region 5—Michigan, except U.S. Court Records, Federal Records Center, 3150 Springboro Road, Dayton, OH 45439

GSA Region 6—Kansas, Iowa and Nebraska, Federal Archives and Records Center, 2306 East Bannister Rd., Kansas City, MO 64131

GSA Region 7—Louisiana, New Mexico, Oklahoma and Texas, Federal Archives and Records Center, P.O. Box 6216, Ft. Worth, TX 76115

GSA Region 8—Colorado, Wyoming, Utah, Montana, North Dakota and South Dakota, Federal Archives and Records Center, P.O. Box 25307, Denver, CO 80225

GSA Region 9—California, Except Southern California and Nevada, Except Clark County, Federal Archives and Records Center, 1000 Commodore Drive, San Bruno, CA 94066

GSA Region 9—Arizona: Clark County, Nevada and Southern California (Counties of San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Los Angeles, Riverside, Orange, Imperial Inyo, and San Diego), Federal Archives and Records Center, 24000 Avila Road, Laguna Niguel, CA 92677

GSA Region 10—Washington, Oregon, Idaho and Alaska, Federal Archives and Records Center, 6125 Sand Point Way, Seattle, WA 98115

09-17-0002

System name:

Indian Health Service Scholarship Programs, HHS/IHS/OHP.

Security classification:

None.

System location:

Scholarship Branch, Indian Health Service, Room 6-12, 5600 Fishers Lane, Rockville, Maryland 20857, and Washington National Records Center, 4205 Suitland Road, Suitland, Maryland 20409.

Categories of individuals covered by the system:

Persons who have applied for, persons who have been approved to receive, persons who are receiving, and persons who have received scholarship funds administered by the Indian Health Service (IHS) since January 1976, such as, but not necessarily limited to the Health Professions Pregraduate Scholarship Program for Indians, the Health Professions Preparatory Scholarship Program for Indians, and the Health Professions Scholarship Program.

Categories of records in the system:

Records include all scholarship applications; associated forms from selected applicants only; selection and performance records; progress reports; vouchers of expenditures; and Social Security Numbers.

Authority for maintenance of the system:

Section 103 of the Indian Health Care Improvement Act, 25 U.S.C. 1613, Health Professions Preparatory Scholarship Program for Indians, and the Health Professions Pregraduate Scholarship Program for Indians.

Section 104 of the Indian Health Care Improvement Act, 42, U.S.C. 294y-1, Health Professions Scholarship Program.

Section 4 of the Debt Collection Act of 1982, Pub. L. 97-365, 5 U.S.C. 5514 note, Requirement That Applicant Furnish Taxpayer Identifying Number.

Purpose(s):

The purpose of this system of records is to select candidates for the Indian Health Service scholarship programs, to monitor the scholarship-related activities of candidates selected, and to evaluate the effectiveness of the programs. Scholarship-related activities are defined as enrollment and attendance in IHS-funded courses, the receipt by the student of a monthly stipend and the expenditure of funds by the student for the purchase of supplies (including books), equipment, tuition, fees and other reimbursable and justified expenditures authorized by IHS.

Records may be transferred to system No. 09-15-0045, "Health Resources and Services Administration Loan Repayment/Debt Management Records System, HHS/HRSA/OA," for debt collection purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records may be disclosed to a congressional office in response to a verified inquiry from that office made at the written request of the subject individual.

2. Records may be disclosed to authorized persons employed by the grantee institution (the institution which the recipient of a scholarship grant is attending) as needed for the administration of a scholarship grant award.

3. Records may be disclosed to other Federal agencies that also provide scholarship funding at the request of these Federal agencies in conjunction with a matching program conducted by these Federal agencies to detect or curtail fraud and abuse in Federal scholarship programs, and to collect delinquent loans or benefit payments owed to the Federal Government.

4. IHS will provide to any person requesting it a list of recipients of scholarship grants, including the school attended and tribal affiliation of each recipient.

5. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of these disclosures are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable IHS to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security Number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders, ledgers, magnetic tapes, and on electronic word processing diskettes.

Retrievability:

Records which identify individual persons are indexed by name or identification number of scholarship applicant or recipient.

Safeguards:

1. Authorized Users: Access is limited only to authorized personnel in the performance of their duties. Authorized personnel include: The system manager, his/her staff, IHS Area Office Scholarship Coordinators, IHS Headquarters Branch Chiefs acting as advisors to scholarship recipients and staffs of the IHS Grants Management Offices in IHS Headquarters and IHS Area Offices.

2. Physical Safeguards: Paper records are stored in locked file cabinets. The records storage areas are secured during off-duty hours.

Word processing diskettes are stored in areas where fire and life safety codes are strictly enforced. Word processing diskettes are off-loaded and stored in locked cabinets when not in use.

3. Procedural Safeguards: All IHS personnel who make use of records contained in this system are made aware of their responsibilities under the provisions of the Privacy Act and are required to maintain Privacy Act safeguards with respect to such records.

The records storage areas are not left unattended during office hours, including lunch hours. Records are not removed from these areas in which they are maintained in the absence of proper charge-out procedures. Twenty-four hour, seven-day security guards perform random checks on the physical security of the records storage areas and word processing diskettes. A data set name controls the release of data to only authorized users.

When copying records for authorized purposes, care is taken to ensure that any imperfect pages are not left in the reproduction room where they can be read, but are destroyed or obliterated.

4. Implementing Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf:45-13 of the General Administration Manual, "Information on Individuals Obtained in Grant Applications."

Retention and disposal:

Scholarship application materials are returned to unsuccessful applicants. Records in the system are retained by IHS for one year after the final award payment has been made by IHS and are then retired to a Federal Records Center. Records are shredded or burned by the Federal Recorfds Center four years after they are received.

System manager(s) and address:

Chief, Scholarship Branch, Indian Health Service, 5600 Fishers Lane, Room 6-12, Rockville, Maryland 20857.

Notification procedure:

Requests by mail or in person: To substantiate the identity of the subject individual seeking access to his/her scholarship grant application and/or performance record the requester must provide his/her name, signature, and Grant Identification Number, and to identify the record sought the requester must provide dates of attendance, school(s) of attendance, and field or speciality or courses taken.

In addition, the requester is informed that provision of the SSN may assist in the verification of the identity of the person as well as the identification of his/her record. The requester is informed that provision of his/her SSN is voluntary and that the individual will not be refused access to his/her record for failure to disclose his/her SSN.

Record access procedures:

Same as notification procedures. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their record, if any.

Contesting record procedures:

Contact the System Manager, provide a reasonable description of the record, specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals whose records are contained in the system, third parties who provide references concerning the subject individuals, and schools that individuals in the system attend or have attended.

Systems exempted from certain provisions of the act:

None.

09-17-0003

System name:

Indian Health Service Medical Staff Credentials and Privileges Records, HHS/IHS/OHP.

Security classification:

None.

System location:

Each Indian Health Service (IHS) Area Office and each IHS Service Unit (Appendix 1). Records may also be located at hospitals and offices of health care providers who are under contract to IHS. A current list of contractor sites is available by writing to the appropriate System Manager (Area or Service Unit Director) at the address shown in Appendix I.

Categories of individuals covered by the system:

Prospective, current and former Indian Health Service (IHS) medical staff members. The term IHS medical staff includes fully licensed individuals permitted by law to provide patient care services independently and without concurrent professional direction or supervision, within the scope of his /her license and in accordance with individually granted clinical privileges. The IHS medical staff includes physicians (M.D. and D.O.) and dentists and may include other health care practitioners such as psychologists, optometrists, podiatrists, audiologists, and, in some states, certified nurse midwives.

Types of assignment categories of current and former IHS medical staff members include the following.

Provisional—Those new members of the medical staff who are serving a required initial probationary period, as specified in the local medical staff bylaws. During this time, their qualifications for membership on the active or courtesty IHS medical staff are assessed.

Active—Those members who are either IHS employees or employees of Pub. L. 93-638 Tribal Contractors who spend at least 50 percent of their professional time within the IHS facility and/or IHS Service Unit. They have served their probationary period and have been found to be fully qualified for membership on the IHS medical staff.

Temporary—Those members who provide services on a short-term basis.

Courtesty or Associate—Those members who generally provide services on a periodic or episodic basis (e.g., consultants for specialty clinics) and are usually not IHS employees.

Categories of records in the system:

Contains name, Social Security Number, IHS medical staff membership and privileges applications and associated forms, employment data, liability insurance coverage, credentialing history of licensed health professionals, personal, educational, and demographic background information, professional performance information consisting of continuing education, performance awards, and adverse or disciplinary actions, and evaluations and approvals completed by IHS medical staff reviewers.

Authority for maintenance of the system:

Indian Self Determination and Education and Assistance Act (25 U.S.C. 450), Snyder Act (25 U.S.C. 13), Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.), Indian Health Service Transfer Act (42 U.S.C. 2001-2004).

Purpose(s):

The purposes of this system are:

1. To ensure that IHS medical staff members are qualified, competent and capable of delivering quality health services consistent with those of the medical community at large and that they are granted privileges commensurate with their training and competence and with the ability of the facility to provide adequate support equipment, services, and staff.

2. To inform health care practitioner(s) and staff of health care facilities, state or county health professional societies or licensing boards to whom the subject individual may apply for clinical privileges, membership or licensure, of the subject individual's professional competence, character and ethical qualifications. This may include information regarding drug or alcohol abuse or dependency. Within the Department such releases may be made to personnel staffs of DHHS Regional Offices.

3. To provide adverse health care practice information to the data bank established under Title IV of Pub. L. 99-660, the Health Care Quality Improvement Act of 1986. The purpose of such a release is to provide information concerning a current or former IHS medical staff member whose professional health care activity failed to conform to generally accepted standards of professional medical practice.

4. To provide health care practice information concerning current or former members of the IHS medical staff with Commissioned Corps status to the Division of Commissioned Personnel, U.S. Public Health Service, so that an informed decision may be made concerning the promotion, retention, or reassignment of the subject individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records may be disclosed to organizations authorized to conduct evaluation studies concerning the delivery of health care services by the Indian Health Service (e.g., Joint Commission on the Accreditation of Healthcare Organizations).

2. IHS may disclose records consisting of name, Social Security Number, employment history and any professional qualification information concerning medical staff membership and privileges, professional competence, clinical judgment and personal character to a State or local government health professional licensing board, to the Federation of State Medical Boards, to the data bank established under Title IV of Pub. L. 99-660 and/or to a similar entity which has the authority to maintain records concerning the issuance, retention or revocation of licenses or registrations necessary to practice a health professional occupation or specialty. The purpose of this disclosure is to inform medical profession licensing boards and appropriate entities about the health care practices of a current, terminated, resigned, or retired IHS medical staff member whose professional health care activity so significantly failed to conform to generally accepted standards of professional medical practice as to raise reasonable concern for the health and safety of members of the general public. This will be done within the guidelines for notice, hearing, and review as delineated in the medical staff bylaws for the IHS facility and/or within other HHS or IHS regulations or policies.

3. IHS may disclose biographic data and information supplied by potential applicants to (a) references listed on the IHS medical staff and/or privileges application and associated forms for the purpose of evaluating the applicant's professional qualifications, experience, and suitability, and (b) a State or local government health profession licensing board, to a health-related professional organization, to the Federation of State Medical Boards, and to the data bank established under Title IV of Pub. L. 99-660 or a similar entity for the purpose of verifying that all claimed background and employment data are valid and all claimed credentials are current and in good standing.

4. Records may be disclosed to other Federal agencies (including the Office of Personnel Management for subject individuals applying for or maintaining Civil Service appointments), to State and local governmental agencies, and to organizations in the private sector to which the subject individual applies for clinical privileges, membership or licensure for the purpose of documenting the qualifications and competency of the subject individual to provide health services in his/her health profession based on the individual's professional performance while employed by the IHS.

5. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof, or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

6. Records may be disclosed to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

7. In the event that a system of records maintained by the IHS to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Indexed and retrieved by name, Social Security Number, and any other identifying numbers necessary to establish the identity of an individual whose record is maintained in the system of records.

Safeguards:

1. Authorized Users:

Access is limited to authorized personnel for use in the performance of their official duties. Authorized personnel include: Physician

Recruitment and other Health Professions Branch Staff and Area Governing Board Members at IHS Area Offices, and Service Unit Directors, Clinical Directors and members of the Credentials and Privilege Committee of each IHS Service Unit. At each location where records in this system will be maintained, a list of personnel or categories of personnel having an official need-to-know has been developed and is maintained.

2. Physical Safeguards:

Records are kept in locked metal filing cabinets or in locked desk drawers in secured rooms at all times when not actually in use during working hours and at all times during non-working hours. Record storage areas, including file cabinets and desks, are not left unattended or unlocked during office hours, including lunch hours.

3. Procedural Safeguards:

Persons who have an official need-to-know are entrusted with records from this system of records and are instructed to safeguard the confidentiality of these records and to destroy all copies or to return such records when the need to know has expired. Instructions include the statutory penalties for noncompliance. Proper charge-out procedures are followed for the removal of records from the area in which they are maintained. Before an employee who will control disclosure of records can work with the records (i.e., employees who report to the system manager) the system manager or designee ensures that the employee has received training in the safeguards applicable to the records and is aware of the actions to take to restrict disclosure. When copying records for authorized purposes, care is taken to ensure that any imperfect pages are not left in the reproduction room where they can be read but are destroyed or obliterated.

4. Implementation Guidelines:

DHHS Chapter 45-13 and supplementary Chapter PHS.hf:45-13 of the General Administration Manual.

Retention and disposal:

Records are maintained by IHS for at least five years after the individual's termination of employment or association with IHS. Records of unsuccessful applicants for medical staff membership will be retained for three years after his/her rejection. After these periods of retention expire, records are destroyed by shredding or burning.

System manager(s) and address:

See Appendix 1.

Policy Coordinating Official: Director, Patient Care Professional Affairs and Support IHS, 5600 Fishers Lane, Room 6A-55, Rockville, Maryland 20857.

The IHS Clinical Directors at all IHS Service Units listed in Appendix 1 are System Managers. IHS medical staff credentials and privileges files are stored at these locations. Other addresses listed in Appendix 1 are locations at which all or parts of these records may also be stored (Physician Recruiter at IHS Area Offices). Post Office Box designations appearing in Appendix 1 should be specified when making requests by mail.

Notification procedure:

Requests must be made to the appropriate System Manager (Clinical Director for the appropriate Service Unit) listed in Appendix 1.

Requests by mail: Requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain, at a minimum, the name, signature, Social Security Number, and address of the requester, and for unsuccessful applicants the date when the application was submitted, and for current or former IHS health care providers the dates and locations of service.

We may request additional identification when we hold records for different persons with the same name or where an apparent discrepancy exists between information contained in the record and that provided by the individual requesting access to the record.

Other names used: Where an individual is seeking to obtain information about himself/herself which may be retrieved by a different name than his/her current name, he/she shall be required to produce evidence to verify that he/she is the person whose record he/she seeks.

Requests in person: A subject individual who appears in person at a specific location (where he or she currently works or formerly worked) seeking access or disclosure of records contained in this system of records relating to him/her shall provide the information described in "Requests by mail" (above) and at least one piece of tangible identification such as a driver's license or passport.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as Notification Procedure. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Write to the appropriate Service Unit Clinical Director at the address specified in Appendix 1 and reasonably identify the record, specify the information being contested, and state the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Subject individual, IHS health care personnel, references supplied by the subject individual, professional societies or associations, specialty boards, colleges and universities attended by the subject individual, former employers, health facilities or health providers with which the subject individual was associated, liability insurance carriers, organizations providing cardiopulmonary resuscitation (CPR) training to the subject individual, State and local health and health care licensing or certifying organizations, and organizations which serve as repositories of information on health care professionals.

Systems exempted from certain provisions of the act:

None.

Appendix 1—System Managers

Director, Aberdeen Area Indian Health Service, Federal Building, 115 Fourth Avenue, SE. Aberdeen, South Dakota 57401

Clinical Director, Rapid City Service Unit, Rapid City Indian Hospital, Rapid City, South Dakota 57702

Clinical Director, Cheyenne River Service Unit, Eagle Butte Indian Hospital, Eagle Butte, South Dakota 57625

Clinical Director, Fort Berthold Service Unit, Minni-Tohe Indian Health Center, New Town, North Dakota 58763

Clinical Director, Fort Totten Service Unit, Fort Totten Indian Health Center, Fort Totten, North Dakota 58335

Clinical Director, Pine Ridge Service Unit, Pine Ridge Indian Hospital, Pine Ridge, South Dakota 57770

Clinical Director, Rosebud Service Unit, Rosebud Indian Hospital, Rosebud, South Dakota 57570

Clinical Director, Sisseton-Wahpeton Service Unit, Sisseton Indian Hospital, Sisseton, South Dakota 57262

Clinical Director, Standing Rock Service Unit, Fort Yates Indian Hospital, Fort Yates, North Dakota 58538

Clinical Director, Turtle Mountain Service Unit, Belcourt Indian Hospital, Belcourt, North Dakota 58316

Clinical Director, Omaha-Winnebago Service Unit, Winnebago Indian Hospital, Winnebago, Nebraska 68071

Clinical Director, Yankton-Wagner Service Unit, Wagner Indian Hospital, Wagner, South Dakota 57380

Clinical Director, Pierre Service Unit, Ft. Thompson Indian Health Center, Ft. Thompson, South Dakota 57339

Director, Bemidji Area Office, Indian Health Service, 203 Federal Building, Bemidji, Minnesota 56601

Clinical Director, Eastern Michigan Service Unit, Kincheloe Indian Health Center, Kincheloe, Minnesota 49788

Clinical Director, Leach Lake Service Unit, Cass Lake Indian Hospital, Cass Lake, Minnesota 56633

Clinical Director, Red Lake Service Unit, Red Lake Indian Hospital, Red Lake, Minnesota 56671

Clincial Director, White Earth Service Unit, White Earth Indian Health Center, White Earth, Minnesota 56591

Director, Alaska Native Health Service, 250 Gambell Street, Third and Gambell Street, Anchorage, Alaska 99501

Clinical Director, Anchorage Service Unit, PHS, Alaska Native Medical Center, P.O. Box 107741, Anchorage, Alaska 99510

Clinical Director, Barrow Service Unit, Barrow Alaska Native Hospital, Barrow, Alaska 99723

Clinical Director, Kotzebue Service Unit, Kotzebue Alaska Native Hospital, Kotzebue, Alaska 99752

Clinical Director Annette Island Service Unit, Metlakatla Alaska Native Health Center, Box 428, Metlakatla, Alaska 99926

Clinical Director, Yukon-Kuskokwim-Delta Service Unit, Yukon-Kuskokwim-Delta Regional Hospital, Indian Health Servcie, Bethel, Alaska 99559

Director, Albuquerque Area Indian Health Service, 505 Marquette NW Suite 1502, Albuquerque, New Mexico 87102-0097

Clinical Director, Albuquerque Service Unit, Albuquerque Indian Hospital, 801 Vassar Drive NE, Albuquerque, New Mexico 87106

Clinical Director, Mescalero Service Unit, Mescalero Indian Hospital, P.O. Box 210, Mescalero, New Mexico 88340

Clinical Director, Southern Colorado-Ute Service Unit, P.O. Box 778, Ignacio, Colorado 81137

Clinical Director, Zuni-Ramah Service Unit, Zuni Indian Hospital, Zuni, New Mexico 87327

Clinical Director, Acoma-Canoncito-Laguna Service Unit, Acoma-Canoncito-Laguna Indian Hospital, P.O. Box 130, San Fidel, New Mexico 87049

Director, Billings Area Indian Health Service, P.O. Box 2143, 711 Central Avenue, Billings, Montana 59103

Clinical Director, Blackfeet Service Unit, Browning Indian Hospital, Browning, Montana 59417

Clinical Director, Crow Service Unit, Crow Indian Hospital, Crow Agency, Montana 59022

Clinical Director, Flathead Service Unit, St. Ignatius Indian Health Center, St. Ignatius, Montana 59865

Clinical Director, Fort Belknap Service Unit, Harlem Indian Hospital, Harlem, Montana 59526

Clinical Director, Fort Peck Service Unit, Poplar Indian Health Center, Poplar, Montana 59255

Clinical Director, Wind River Service Unit, Fort Washakie Indian Health Center, Fort Washakie, Wyoming 82514

Clinical Director, North Cheyenne Service Unit, Lame Deer Indian Health Center, Lame Deer, Montana 59043

Clinical Director, Rocky Boy's Service Unit, Box Elder Indian Health Center, Box Elder, Montana 59521

Clinical Director, Navajo Area Indian Health Service, P.O. Box G, Window Rock, Arizona 86515–0190

Clinical Director, Chinle Service Unit, Chinle Indian Hospital, P.O. Drawer P.H., Chinle, Arizona 86503

Clinical Director, Crownpoint Service Unit, Crownpoint Indian Hospital, Crownpoint, New Mexico 87313

Clinical Director, Fort Defiance Service Unit, Fort Defiance Indian Hospital, Fort Defiance, Arizona 86504

Clinical Director, Gallup Service Unit, Gallup Indian Medical Center, P.O. Box 1337, Gallup, New Mexico 87301

Clinical Director, Kayenta Service Unit, Kayenta Indian Health Center, P.O. Box 368, Kayenta, Arizona 86033

Clinical Director, Shiprock Service Unit, Shiprock Indian Hospital, P.O. Box 160, Shiprock, New Mexico 87420

Clinical Director, Tuba City Service Unit, Tuba City Indian Hospital, Tuba City, Arizona 86045

Clinical Director, Winslow Service Unit, Winslow Indian Health Center, P.O. Drawer 40, Winslow, Arizona 86047

Director, Oklahoma City Area Indian Health Service, 215 Dean A. McGee Street NW., Oklahoma City, Oklahoma 73102–3477

Clinical Director, Ada Service Unit, Carl Albert Indian Hospital, 1001 North Country Club Drive, Ada, Oklahoma 74820

Clinical Director, Claremore Service Unit, Claremore Comprehensive Indian Health Facility, Claremore, Oklahoma 74017

Clinical Director, Clinton Service Unit, Clinton Indian Hospital, Route 4, Box 213, Clinton, Oklahoma 73601

Clinical Director, Kansas Service Unit, Holton Indian Health Center, 100 West 16th Street, Holton, Kansas 66436

Clinical Director, Lawton Service Unit, Lawton Indian Hospital, Lawton, Oklahoma 73501

Clinical Director, Pawnee Service Unit, Pawnee Indian Health Center, Rural Route 2, Box 1, Pawnee, Oklahoma 74058

Clinical Director, Shawnee Service Unit, Shawnee Indian Health Center, 2001 South Gordon Cooper Drive, Shawnee, Oklahoma 74801

Clinical Director, Tahlequah Service Unit, W.W. Hastings Indian Hospital, 100 S. Bliss, Tahlequah, Oklahoma 74464

Director, Phoenix Area Indian Health Service, 3738 N. 16th Street, Suite A, Phoenix, Arizona 85016–5981

Clinical Director, Colorado River Service Unit, Parker Indian Hospital, Route 1, P.O. Box 12, Parker, Arizona 85344

Clinical Director, Fort Yuma Service Unit, Fort Yuma Indian Hospital, P.O. Box 1368, Fort Yuma, Arizona 85364

Clinical Director, Keams Canyon Service Unit, Keams Canyon Indian Hospital, P.O. Box 98, Keams Canyon, Arizona 86034

Clinical Director, Owyhee Service Unit, Owyhee Indian Hospital, P.O. Box 212, Owyhee, Nevada 89832

Clinical Director, Phoenix Service Unit, Phoenix Indian Medical Center, 4212 North 16th St., Phoenix, Arizona 85016

Clinical Director, Sacaton Service Unit, Sacaton Indian Hospital, Sacaton, Arizona 85247

Clinical Director, San Carlos Service Unit, San Carlos Indian Hospital, San Carlos, Arizona 85550

Clinical Director, Schurz Service Unit, Schurz Indian Hospital, Schurz, Nevada 89427

Clinical Director, Unitah and Ouray Service Unit, Fort Duchesne Indian Health Center, P.O. Box 160, Roosevelt, Utah 84066

Clinical Director, Whiteriver Service Unit, Whiteriver Indian Hospital, Whiteriver, Arizona 85941

Director, Portland Area Indian Health Service, Room 476, Federal Building, 1220 Southwest Third Avenue, Portland, Oregon 97204–2892

Clinical Director, Coleville Service Unit, Coleville Indian Health Center, Nespelem, Washington 99155

Clinical Director, For Hall Service Unit, Fort Hall Indian Health Center, P.O. Box 317, Fort Hall, Idaho 83203

Clinical Director, Northern Idaho Service Unit, Northern Idaho Indian Health Center, P.O. Drawer 367, Lapawai, Idaho 83540

Clinical Director, Puget Sound Service Unit, Puget Sound Indian Health Station, 1212 South Judkins, Seattle, Washington 98144

Clinical Director, Yakima Service Unit, Yakima Indian Health Center, Route 1, Box 1104, Toppenish, Washington 98948

Clinical Director, Yellowhawk Service Unit, Yellowhawk Indian Health Center, P.O. Box 160, Pendleton, Oregon 97801

Clinical Director, Taholah Service Unit, Taholah Indian Health Center, P.O. Box 219, Taholah, Washington 98587

Clinical Director, Neah Bay Service Unit, Neah Bay Indian Health Center, P.O. Box 418, Neah Bay, Washington 98357

Clinical Director, Northwest Washington Service Unit, Lummi Indian Health Center, 2592 Kwina Road, Bellingham, Washington 98225

Clinical Director, Warm Springs Service Unit, Wellpinit Indian Health Center, P.O. Box 357, Wellpinit, Oregon 99040

Director, Tucson Area Office, Indian Health Service, 7900 S.J. Stock Road, Tucson, Arizona 85746–9352

Clinical Director, Sells Service Unit, Sells Indian Hospital, P.O. Box 548, Sells, Arizona 85634

Director, Nashville Area Office, Indian Health Service, Oak Towers Building, 1101 Kermit Drive, Suite 810, Nashville, Tennessee 37217–2191

Clinical Director, Cherokee Service Unit, Cherokee Indian Hospital, Cherokee, North Carolina 28719

Director, California Area Office, Indian Health Service, 2999 Fulton Avenue, Sacramento, California 95821.

Health Resources and Services Administration

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09-15-0040 Health Professions Student Loan Repayment Program, HHS/HRSA/BHPr.
09-15-0041 Health Professions Student Loan Cancellation, HHS/HRSA/BHPr.
09-15-0042 Physician Shortage Area Scholarship Program, HHS/HRSA/BHCDA.
09-15-0043 Cuban Loan Program, HHS/HRSA/OA.
09-15-0044 Health Educational Assistance Loan Program (HEAL) Loan Control Master File, HHS/HRSA/BHPr.
09-15-0045 Health Resources and Services Administration Loan Repayment/Debt Management Records Systems, HHS/HRSA/OA.
09-15-0046 Health Professions Planning and Evaluation, HHS/HRSA/OA.
09-15-0052 Nurse Practitioner and Nurse Midwifery Traineeship Program, HHS/HRSA/BHPr.
09-15-0054 Health Care Practitioner Adverse Credentialing Data Bank, HHS/HRSA/BHPr.
09-15-0056 National Vaccine Injury Compensation Program, HHS/HRSA/BHPr.
09-15-0057 Scholarships for the Undergraduate Education of Professional Nurses Grant Programs, HHS/HRSA/BHPr.

09-15-0001

System name:

Division of Federal Occupational and Beneficiary Health Services, Health and Counseling Records, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

A current list of health and counseling unit sites is available by writing to the System Manager at the address below.

Data are also occasionally located at medical laboratories, medical consultants, or computer processing firm sites. A list of sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system:

Federal employees enrolled in PHS/Division of Federal Occupational and Beneficiary Health Services (DFOBHS) Health Units and individuals examined/treated/counseled by DFOBHS staff.

Categories of records in the system:

Health records including examination, diagnostic, counseling treatment data, information for program eligibility, social data, laboratory findings, nutrition and dietetic files, nursing notes, mental health files, and immunization registers.

Authority for maintenance of the system:

Title V (5 U.S.C. 7901), Health Service to Employees, and OMB Circular No. A-72.

Purpose(s):

Employees are provided occupational health services (on a voluntary basis). Data are necessary to ensure:

1. Proper evaluation, diagnosis, treatment, and referral to maintain continuity of care.

2. A medical history of the total health care and medical treatment received by the individual.

3. Planning for further care of the patient.

4. A means of communication among members of the health care team who contribute to the patient's care.

5. A legal document of health care rendered.

6. A tool for evaluating quality of health care rendered.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under a service contract agreement. Recipients are required to maintain adequate safeguards with respect to such records.

2. In the event of a change in sponsorship of a PHS/DFOBHS health care unit or in a case of mass transfer of employees covered by a PHS/DFOBHS health care unit to one served by a nondepartmental organization, the health records will be transferred to the custodianship of the new organization.

3. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

4. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual,

disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

5. Disclosure may be made to the U.S. Department of Labor, Office of Workers' Compensation Program (OWCP), of those files of persons claiming compensation benefits due to personal injury while on the job.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Alphabetically by last name.

Safeguards:

1. Authorized Users: DFOBHS Health Unit personnel, physicians, nurses, and other allied health professionals.

2. Physical Safeguards: All documents are secured during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from the public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the DFOBHS Manual of Operations. Patient-authorized release of records to a third party will only be accomplished when the third party has a suitable system of records, such as those meeting the requirements of 5 CFR Part 293, designed to minimize unauthorized access. Contractors are required to maintain confidentiality safeguards with respect to these records. These safeguards are in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

National Personnel Records Center in St. Louis, Missouri.

System manager(s) and address:

Director, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health

Resources and Services Administration, Room 7-36, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. Individual must provide positive identification, such as driver's license, passport, voter registration card, union card, or a written certification verifying his or her identity. Individuals must provide treatment location and approximate date of treatment. Requesters should also reasonably specify the record contents being sought. An individual who requests access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Contact the System Manager at the above address and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification.

Record source categories:

Information is obtained from the Federal employee, the x-ray, laboratory, and EKG contractors, physician and nurse notes, OWCP and personnel office; or supplied by a member of the individual's family, or derived from information supplied by the individual. Information may also be supplied from sources to whom the employee has been referred for assistance, Department officials, or program counselors.

Systems exempted from certain provisions of the act:

None.

09-15-0002

System name:

Record of Patients' Personal Valuables and Monies, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Financial Management Department, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Categories of individuals covered by the system:

Individuals admitted to the Gillis W. Long Hansen's Disease Center (GWLHDC).

Categories of records in the system:

Information regarding personal valuables such as watches or rings, and monies checked in by the patients for safe-keeping.

Authority for maintenance of the system:

Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care.

Purpose(s):

The purpose of the system is to provide for the safekeeping of patients' valuables. Records may also be used by the HHS Audit Agency for audit purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Valuables and monies are sealed in an envelope and filed in a locked safe.

Retrievability:

Name and hospital record number.

Safeguards:

1. Authorized Users: GWLHDC personnel responsible for the security of valuables and monies. GWLHDC cashiers, nurses, and physicians.

2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the DHHS Chapter 45-13 and Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Number of years held: Until audited by HHS Audit Agency. How destroyed: Incinerator.

System manager(s) and address:

Chief, Financial Management Department, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Notification procedure:

Write to the Financial Management Department, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721. Individual must provide positive identification such as driver's license, passport, voter registration card, union card, or a written certification verifying his or her identity. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Write to the official at the address specified in the notification procedures above, and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

Patient and admission record.

Systems exempted from certain provisions of the act:

None.

09-15-0003

System name:

Contract Physicians and Consultants, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, Maryland 20857. Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Categories of individuals covered by the system:

Medical and allied health professionals (e.g., physicians, nurses, physical therapists, and dentists) who have contracted with the Bureau of Health Care Delivery and Assistance to provide services to beneficiaries.

Categories of records in the system:

Duplicate of original contract and personal data qualifications. Original contracts developed by the Gillis W. Long Hansen's Disease Center.

Authority for maintenance of the system:

Section 320 of the Public Health Service Act, as amended (43 U.S.C. 225), Receipt, Apprehension, Treatment and Release of Lepers; Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care; and Section 326 of the Public Health Service Act, as amended (42 U.S.C. 253), Services to Coast Guard, Coast and Geodetic Survey, and Public Health Service.

Purpose(s):

To monitor contract negotiations and compliance, to review credentials, and to collect statistical data required to manage the program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

4. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Name and contract number.

Safeguards:

1. Authorized Users: PHS medical and financial management staff and contracting personnel.

2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with DHHS Chapter 45-13 and Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Duplicate contracts: Held 1-3 years dependent upon renewal. Destroyed by shredding.

Original Contracts: 1. Transactions of more than
10,000: Destroy 6 years and 3 months after final payment. 2. Transactions of
10,000 or less: Destroy 3 years after final payment.

System manager(s) and address:

Director, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, Room 7-36, 5600 Fishers Lane, Rockville, Maryland 20857; and General Services Officer, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. The individual must provide positive identification, such as driver's license, passport, voter registration card, or written certification verifying his or her identity. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Write to the System Manager at the address specified above, and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

Medical, allied health professionals and dentists.

Systems exempted from certain provisions of the act:

None.

09-15-0004

System name:

Federal Employee Occupational Health Data System, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, 5600 Fishers Lane, Rockville, MD 20857.

Data are also occasionally located at medical laboratories, medical consultants, or computer processing firm sites. A list of sites where individually indentifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system:

Federal employees enrolled in PHS/Division of Federal Occupational and Beneficiary Health Services (DFOBHS) Service Units.

Categories of records in the system:

Occupational health record and service-derived data organized and presented for program operation purposes.

Authority for maintenance of the system:

Title V (5 U.S.C. 7901), Health Service to Employees, and OMB Circular No. A-72.

Purpose(s):

The system is designed to provide health record derived data for program analysis and planning purposes in a fashion to reduce the manual information processing workload of unit physicians, nurses, and other health professionals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. U.S. Department of Labor, Office of Workers' Compensation Programs (OWCP), may be given access to files of those persons claiming compensation benefits due to personal injury while on the job.

2. Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under service contract agreement. Recipients are required to maintain adequate safeguards with respect to such records.

3. In the event of a change in sponsorship of a PHS/DFOBHS health care unit or in a case of mass transfer of employees covered by a PHS/DFOBHS health care unit to one served by a nondepartmental organization, the health records will be transferred to the custodianship of the new organization.

4. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

5. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual.

Disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and disc.

Retrievability:

Name and Social Security numbers, which are supplied on a voluntary basis, are used for retrieval.

Safeguards:

1. Authorized Users: DFOBHS personnel, health unit physicians, nurses, and other allied health professionals.

2. Physical Safeguards: Magnetic tapes, discs, and other computer equipment and computerized data are stored in areas where fire and life safety codes are strictly enforced. Twenty-four hours, 7-day security guards perform random checks on the physical security of the data. All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data only to authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the DFOBHS Manual of Operations. The contractor is required to maintain confidentiality safeguards with respect to these records.

These safeguards are in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Number of years held: Permanently or until 5 years after record becomes inactive. Purged from computer and stored on computer tape for a period of 5 years after files become inactive.

System manager(s) and address:

Director, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if a record exists, write to the System Manager at the address above. Individuals must provide positive identification, such as driver's license, passport, voter registration card, union card, or a written certification verifying his or her identify. Individuals must provide treatment locations and approximate date of treatment. Requestors should also reasonably specify the record contents being sought. An individual who requests access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Contact the System Manager at the above address and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification.

Record source categories:

Information is obtained from the Federal employee, the x-ray, laboratory, and EKG contractors, physician and nurse notes, OWCP and personnel office.

Systems exempted from certain provisions of the act:

None.

09-15-0007

System name:

Patients Medical Record System PHS Hospitals/Clinics, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

See Appendixes 1 and 2.

Data are also occasionally located at medical laboratories, medical consultants, or computer processing firm sites. A list of sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system:

Individuals examined and/or treated at former Public Health Service Hospitals and Clinics and the Gillis W. Long Hansen's Disease Center, Carville, Louisiana.

Categories of records in the system:

Medical examination, diagnostic and treatment data; information for proof of eligibility; social data such as address and birthdate; disease registers, such as Hansen's disease and tumor and surgical procedure registers; treatment logs, summaries and correspondence.

Authority for maintenance of the system:

Section 320 of the Public Health Service Act, as amended (42 U.S.C. 255), Receipt, Apprehension, Treatment and Release of Lepers; Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care; and Section 326 of the Public Health Service Act, as amended (42 U.S.C. 253), Service to Coast Guard, Coast and Geodetic Survey, and Public Health Service.

Purpose(s):

The purposes of this system are:

1. To serve as a basis for planning patient care and for continuity in the evaluation of the patient's condition and treatment to furnish documentary evidence of the course of the patient's medical evaluation, treatment and change in condition during the hospital stay, ambulatory care or emergency visit, or while being followed in a facility-based home care program;

2. To document communications between the responsible practitioner and any other health professional's contribution to the patient's care and treatment in order to assist in protecting the legal interests of the patient, the hospital or clinic, and responsible practitioners;

3. To provide data for use in facility management, continuing education, Department initiatives, quality assurance activities and research at the Gillis W. Long Hansen's Disease Center, Carville, Louisiana.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to:

(1) Any community health organization, government agency, private physician and/or company which has requested or arranged for an examination, treatment or care of an individual.

(2) Army, Navy, Air Force to report results of examination/treatment of their uniformed service personnel.

(3) Department of Transportation to report results of examination/treatment of their uniformed services personnel found to be suffering from conditions that render them hazardous to themselves or to others.

(4) Department of Commerce to report results of examination/treatment of uniformed services and other personnel of that ageny.

(5) Immigration and Naturalization Service to report results of examination/treatment of aliens examined and treated for and in behalf of that agency.

(6) Bureau of Prisons (BP) to report results of examination and treatment of patients examined and/or treated for and on behalf of the BP.

(7) Federal, state or private health benefit plans for billing purposes.

(8) U.S. Department of Labor, Office of Workers' Compensation Programs for persons claiming compensation benefits due to personal injury while employed by the Government.

(9) Organizations such as Joint Commission on Accreditation of Hospitals for accreditation of hospitals and clinics, and American Medical Association for accreditation of resident training programs. Medical records are used to document quality of service by health care providers.

(10) Health professions students serving an affiliation at the institution and their parent education program; students provide patient care and use medical records in performance of their duties.

(11) Nonagency physicians providing continuing care to current and former PHS beneficiaries, laboratories performing tests for the continuing care of these patients, and successor organizations providing health care in former PHS hospitals and clinics.

(12) Veterans Administration to assist uniformed service personnel, retirees and veterans to obtain medical care or benefits.

(13) Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

(14) Disclosure may be made to a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. The contractor is required to maintain Privacy Act safeguards with respect to such records.

(15) A record may be disclosed for a research purpose, when the Department: (a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (b) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (c) has required the recipient to—(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except—(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; (d) has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

(16) Organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

(17) Information regarding the commission of crimes or the reporting or occurrence of communicable diseases, tumors, child abuse, births, deaths, alcohol or drug abuse, etc. as may be required by health providers and facilities, by state law, or regulation of the department of health or other agency of the state or its subdivision in which the facility is located. Disclosure may be made to organizations as specified by the state law or regulation such as birth and deaths to vital statistics agencies and crimes to law enforcement agencies. Disclosure of the contents of records which pertain to patient identity, diagnosis, prognosis or treatment of alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations 42 CFR Part 2 as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended by Pub. L. 93-283. To the extent possible, identical restrictions are applied to the disclosure of the contents of records pertaining to individuals with other programs who are participating in employee counseling programs.

(18) In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual.

Disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

(19) To organizations or individuals with agreements to provide photocopying or medical record data abstracting services.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, magnetic tape, punch cards, microfilm.

Retrievability:

Indexed by name, register number, number control register, disease and operation, and uniformed services service number (which is the Social Security number (SSN)). Those records indexed by SSN are retrieved in accordance with section 7(a)(2)(B) of the Privacy Act.

Safeguards:

1. Authorized Users: Health care practitioners, and other allied health personnel, medical and allied health students and administrative personnel for determination of eligibility for care and facility management; qualified research personnel with approved protocol; PHS Commissioned Personnel Operations Division; and PHS Claims Officer.

2. Physical Safeguards: Magnetic tapes, discs, other computer equipment and other forms of personal data are stored in areas where fire and life safety codes are strictly enforced. Twenty-four-hour, 7-day security guards perform random checks on the physical security of the data. All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data only to authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with Privacy Act safeguards. The contractor is required to maintain confidentiality safeguards with respect to these records. These safeguards are in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual, and Part 6 of the DHHS Information Resources Management Manual. The Memorandums of Agreement between the successor organizations and the Public Health Service require the successor organizations to comply with the Privacy Act. PHS and HHS guidelines have been provided to each successor organization.

Retention and disposal:

Number of years helds held at Federal Records Center (see Appendix 2) before disposal—45 years for active duty uniformed service personnel, 20 years for all others. How destroyed: The disposal standard for these records may be obtained by writing the System Manager at the address below.

System manager(s) and address:

Director, PHS Health Data Center, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Notification procedure:

To determine the existence of a record, write to the facility where treatment was rendered if listed in Appendix 1. (Note that the facility may now be operated under a different name by the successor organization.) If the facility is not listed, write to: Director, Public Health Service Data Center, 10000 Aerospace Road, Warehouse No. 1, Lanham, Maryland 20706. Requests for records at the Federal Records Centers must be processed through the System Manager or the Public Health Service Health Data Center, Lanham, Maryland. (After November 1, 1986, write to: Public Health Service Data Center, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.) If requesting records by mail, a written certification verifying identity must be provided. If appearing in person at the Gillis W. Long Hansen's Disease Center, Carville, LA, positive identification such as a driver's license, passport, or voter's registration card must be provided. An individual who requests access to a medical/dental record shall designate in writing, at the time the request is made, a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. Finally, a parent or guardian who requests notification of access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the official at the address specified in the notification procedures above, and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

Individual, health care personnel, other hospitals and physicians, employers, social agencies, maritime unions, shipping companies.

Systems exempted from certain provisions of the act:

None.

Appendix 1

A. Public Health Service Facilities

Director, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Director, Public Health Service Health Data Center, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

B. Successor Organizations

Director, Wyman Park Health System, Inc., 3100 Wyman Park Drive, Baltimore, Maryland 21211.

Director, Brighton Marine Public Health Center, 77 Warren Street, Boston, Massachusetts 02135.

Administrator, Lutheran Downtown Health Care Services, 1313 Superior Avenue, Cleveland, Ohio 44114.

Director, Hospital of St. John, 2050 Space Park Drive, Nassau Bay, Texas 77058.

Administrator, Martins Point Health Center, 331 Veranda Street, Portland, Maine 04103.

Officer-in-Charge, U.S. Army, St. Louis Outpatient Clinic, 1520 Market Street, St. Louis, Missouri 63103.

Director, Pacific Medical Center, 1200 12th Avenue South, Seattle, Washington, 98144.

Director, Bayley Seton Hospital, Bay Street and Vanderbilt Avenue, Staten Island, New York 10304.

Appendix 2—Federal Records Centers

Areas Served

Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island:

Federal Archives & Records Center, 380 Trapelo Road, Waltham, Massachusetts 02154.

New York, New Jersey, Puerto Rico, the Virgin Islands, and the Panama Canal Zone:

Federal Archives & Records Center, Military Ocean Terminal, Bldg. 22, Bayonne, NJ 07002.

Delaware and Pennsylvania east of Lancaster:

Federal Archives and Records Center, 5000 Wissahickon Avenue, Philadelphia, PA 19144.

District of Columbia, Maryland, Virginia, and West Virginia:

Washington National Records Center, Washington, DC 20409.

North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Florida and Kentucky:

Federal Archives & Records Center, GSA, 1557 St. Joseph Avenue, East Point, GA 30344.

Illinois, Wisconsin and Minnesota:

Federal Archives and Records Center, GSA, 7358 South Pulaski Road, Chicago, IL 60629.

Indiana, Michigan, and Ohio:

Federal Records Center, 3150 Springboro Road, Dayton, Ohio 45439.

Greater St. Louis Area:

National Personnel Records Center, (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118.

Texas, Oklahoma, Arkansas, Louisiana, and New Mexico:

Federal Archives & Records Center, P.O. Box 6216, Ft. Worth, TX 76115.

Nevada (except Clark County), California (except Southern California), and American Samoa:

Federal Archives & Records Center, 1000 Commodore Drive, San Bruno, CA 94066.

Clark County, Nevada; Southern California (Counties of San Luis Obispo, Kern, San Bernadino, Santa Barbara, Ventura, Los Angeles, Riverside, Orange, Imperial, Inyo, and San Diego), and Arizona:

Federal Archives & Records Center, P.O. Box 6719, Laguna Niguel, CA 92677.

Washington, Oregon, Idaho, Alaska, Hawaii, and Pacific Ocean Area (except American Samoa):

Federal Archives & Records Center, 6125 Sand Point Way, Seattle, WA 98115.

09-15-0008

System name:

Emergency Non-PHS Treatment Authorization File, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

Individuals who are eligible for emergency care paid by the Public Health Service at non-PHS medical facilities and who had such care.

Categories of records in the system:

Eligibility information and reasons for emergency care.

Authority for maintenance of the system:

Section 320 of the Public Health Service Act, as amended (42 U.S.C. 255), Receipt, Apprehension, Treatment and Release of Lepers; Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care; and Section 326 of the Public Health Service Act, as amended (42 U.S.C. 253), Services to Coast Guard, Coast and Geodetic Servey, and Public Health Service.

Purpose(s):

To determine eligibility for medical care by PHS, to document expenditure of public funds; to review and evaluate the quality of medical care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to insurance companies for third party reimbursement.

2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

3. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual,

disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Document files.

Retrievability:

None.

Safeguards:

1. Authorized Users: Administrative officials, physicians; or other health care professionals; financial management personnel, HRSA; HHS Audit Agency for audit purposes.

2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets and locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 in the General Administration Manual.

Retention and disposal:

Held for possible audit by HHS Audit Agency. Then destroyed by shredding or incineration.

System manager(s) and address:

Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857, and Chief, Medical Record Department, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Notification procedure:

To determine the existence of a record, write to the facility where treatment or service was rendered. Individual must provide positive identification, such as driver's license, passport, voter's registration card, union card, or a written certification verifying his or her identity. Requesters should also reasonably specify the record contents being sought.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Contact the official at the address specified in the notification procedures above, and reasonably identify the record, specify the identification to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

Individual or someone acting in his/her behalf, and providers of medical care.

Systems exempted from certain provisions of the act:

None.

09-15-0022

System name:

Accounts Receivable, HHS/HRSA/OA.

Security classification:

None.

System location:

1. Chief, Debt Management Branch, Division of Fiscal Services, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, Maryland 20857.
2. Chief, Financial Management Department, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.
3. Washington National Records Center, 4205 Suitland Road, Washington, D.C. 20409.

Categories of individuals covered by the system:

Patients and PHS employees.

Categories of records in the system:

Billing to individuals.

Authority for maintenance of the system:

Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care.

Purpose(s):

To bill and collect funds due the Federal Government. Records may be used by the HHS Audit Agency and HHS claims office for audit purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information may be provided to any Government agency which had requested or arranged for treatment or care of an individual by the Bureau of Medical Services.
2. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.
3. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components.

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of this disclosure are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Retrievable by name.

Safeguards:

1. Authorized Users: Billing clerks, cashiers, and HRSA financial management personnel.
2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets and locked storage areas.
3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with DHHS Chapter 45-13 and Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Number of years held: Until audited. How destroyed: Incinerator.

System manager(s) and address:

Policy Coordinating Official: Director, Division of Fiscal Services, Room 16-05, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Chief, Debt Management Branch, Division of Fiscal Services, Health Resources and Services Administration, Room 16A-09, 5600 Fishers Lane, Rockville, Maryland 20857.

Director, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Notification procedure:

Contact the Division of Fiscal Services, HRSA, for records from the former PHS hospitals and clinics. For records pertaining to care at the Gillis W. Long Hansen's Disease Center, contact the Chief, Financial Management Department, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721. Individuals must provide positive identification, such as driver's license, passport, voter's registration card, union card, or a written certification verifying his or her identity.

Record access procedures:

Same as notification procedures. Requesters should reasonably specify the record contents being sought.

Contesting record procedures:

Write to appropriate Financial Management Offices as listed in the Notification Procedure and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

From individual medical record.

Systems exempted from certain provisions of the act:

None.

09-15-0026

System name:

Medical Fellowships and Educational Loans, HHS/HRSA/OA.

Security classification:

None.

System location:

Division of Fiscal Services, Health Resources and Services Administration, Room 16-49, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, and Regional Federal Records Center.

Washington National Records Center, 4205 Suitland Road, Washington, D.C. 20409

Categories of individuals covered by the system:

Applicants and recipients of fellowships, grants, and loans administered by the Health Resources and Services Administration.

Categories of records in the system:

Fellowship, Grants and Loan Applications. Promissory note signed by the individual receiving the loan.

Authority for maintenance of the system:

Section 301 of the Public Health Service Act, as amended (42 U.S.C. 241), Research and Investigations.

Purpose(s):

To support the HRSA's accounting system of obligations and payments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof;or

(b) Any HHS employee in his or her capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided however, that in each case, HHS determines that such disclosure is compatible with thepurpose for which the records were collected.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of this disclosure are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Retrievable by name.

Safeguards:

1. Authorized Users: Accounting clerks, accountants and auditors that are performing the accounting function for this program.

2. Physical Safeguards: Files are kept in locked metal filing cabinets during lunch hours and nonworking hours. Twenty-four hour, 7-day security guards perform random checks on the physical security of the data. Files are stored in areas where fire and life safety codes are strictly enforced.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from the public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act and the following guidelines.

Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Number of years held: 2 yrs. 1 yr. Warehouse. Number of years held at Federal Records Center before disposal: 7 yrs. How destroyed: in accordance with items 4.b and 4.c of Schedule 3.OSA General Records Schedules.

System manager(s) and address:

Chief, Accounting and Finance Branch, Division of Fiscal Services, Health Resources and Services Administration, Parklawn Bldg., Rm. 16-16, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Requests must be made to the System Manager.

Requests in person: A subject individual who appears in person at a specific location seeking access to or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. If a subject individual has no identification but is personally known to an agency employee, such employee shall make a written record verifying the subject individual's identity. Where the subject individual has no identification papers, the responsible agency official shall require that the subject individual certify in writing that he/she is the individual whom he/she claims to be and that he/she understands that the knowing and willful request or acquisition of records concerning an individual under false pretenses is a criminal offense subject to a 5,000 dollars fine. In some situations additional identification may be requested. Some examples include the request for access to (1) records which contain sensitive information, (2) different records for persons with the same name, and (3) records which contain an apparent discrepancy between information contained in the records and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Request for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requestor, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Write to System Manager. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Write to the System Manager and reasonably identify the record, specify the information to be contested, and state the corrective action sought, with supporting justification.

Record source categories:

Individual applicants for loans supply the information.

Systems exempted from certain provisions of the act:

None.

09-15-0028

System name:

PHS Clinical Affiliation Trainee Records, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Categories of individuals covered by the system:

Students in PHS training programs or serving clinical affiliation in Gillis W. Long Hansen's Disease Center.

Categories of records in the system:

Transcripts of past education, application for training, training program staff and clinical supervisor evaluations and progress reports, course grades and evidence of completion of training requirements.

Authority for maintenance of the system:

Section 320 of the Public Health Service Act, as amended (42 U.S.C. 255), Receipt, Apprehension, Treatment and Release of Lepers; Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals, Medical Examinations, and Medical Care; and Section 327A of the Public Health Service Act, as amended (42 U.S.C. 254), Sharing of Medical Care Facilities and Resources.

Purpose(s):

To provide communication between educational and supervisory staff for evaluation of trainees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. To Educational Program staff of affiliated college/university to provide reports of student trainee's progress in training;

2. To representatives of medical/allied health training program accreditation of PHS Training Programs;

3. To prospective employers for professional reference;

4. To professional boards or associations to certify the student's progress in or completion of training as required for professional license, registration certification, etc.

5. To a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

6. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Alphabetically by last name.

Safeguards:

1. Authorized Users: Director of Education at the Gillis W. Long Hansen's Disease Center, work and staff supervisors and administrative personnel.

2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets and locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office.

Access to records is strictly limited to those staff members trained in accordance with DHHS Chapter 45-13 and Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Number of years held: 10 years, then destroyed by shredding.

System manager(s) and address:

Chief, Personnel Office, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721.

Notification procedure:

The individual should contact the Director, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721, and provide name, date of birth and approximate dates of training to allow positive identification of the record.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures:

Contact the facility mentioned at the address specified in the notification procedures above, and reasonably identify the record, specify the information to be contested, and state corrective action sought, with supporting justification.

Record source categories:

Individual, clinical supervisors, instructors, training program staff and administrative personnel of facility and affiliated college/university.

Systems exempted from certain provisions of the act:

None.

09-15-0029

System name:

PHS Beneficiary-Contract Medical/Health Care Records, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

1. Director, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, Room 7-36, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

2. U.S. Public Health Service Health Data Center, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

3. See Appendix 2 of Patient Medical Records System PHS Hospital/Clinics, 09-15-0007, for location of Federal Records Centers.

Categories of individuals covered by the system:

Individuals who are or were legally entitled to health care by the Public Health Service and who have received health care from health professionals or facilities under contract or agreement to the Public Health Service.

Categories of records in the system:

May include any or all of the following: Diagnostic (laboratory/X-ray, etc.) and treatment data, sociologic information, invoices for services, eligibility data including employment history, uniformed services information (employing services, service numbers, duty station, etc.).

Authority for maintenance of the system:

Section 320 of the Public Health Service Act, as amended (42 U.S.C. 255), Receipt, Apprehension, Treatment and Release of Lepers; Section 321 of the Public Health Service Act, as amended (42 U.S.C. 248), Hospitals Medical Examinations, and Medical Care; and Section 326 of the Public Health Act, as amended (42 U.S.C. 253), Services to National Oceanic and Atmospheric Administration and Public Health Service.

Purpose(s):

To serve as a basis for payment for patient care and for continuity in the evaluation of the patient's condition and treatment; to furnish documentary evidence of the course of the patient's medical evaluation and treatment to document communications between the responsible practitioner and any other health professionals contributing to the patient's care and treatment; to verify patient eligibility; and to ensure quality assurance, and to monitor contract compliance.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to medical laboratories and facilities, and non agency physicians. Recipients are required to maintain adequate safeguards with respect to such records.

2. To Department of Transportation and Department of Commerce to report results of examination and/or treatment of that agency's personnel.

3. To the Veterans Administration to assist uniformed services personnel, retirees and veterans to obtain medical care or benefits.

4. To a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

5. To a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

6. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual,

disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

6. Information regarding the commission of crimes or the reporting of occurrences of communicable diseases, tumors, child abuse, births, deaths, alcohol or drug abuse, etc., may be disclosed as required by health providers and facilities by State law or regulation of the department of health or other agency of the State or its subdivision in which the facility is located. Disclosures will be made to organizations as specified by the State law or regulation, such as births and deaths to the vital statistics agency and crimes to law enforcement agencies. Disclosure of the contents of records which pertain to patient identity, diagnosis, prognosis or treatment of alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulation 42 CFR Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended by Pub. L. 93-282.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Name, uniformed service number (which is the Social Security number (SSN)), and/or Z number. Those records indexed by SSN are maintained and retrieved in accordance with section 7(a)(2)(8) of the Privacy Act.

Safeguards:

1. Authorized Users: Supervisory contracting officials who review the contractor's records annually, doctors, dentists, nurses, allied health professionals and administrative staff in the contractor's office or System Manager's staff.

2. Physical Safeguards: All documents are protected during lunch hours and nonworking hours in locked file cabinets and locked storage areas.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with DHHS Chapter 45-13; and Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Retained in the contracting professional's facility files until the contract is terminated. Then turned over to the Division of Federal Occupational and Beneficiary Health Services for transmittal to a new contracting professional to the Medical Branch, Commissioned Personnel Operations Division, or storage at a Federal Records Center. When stored in a Federal Records Center, records are stored for 50 years for active duty uniformed service personnel, and 25 years for all others. Destruction at that time is in accordance with standard practices of the Federal Records Center.

System manager(s) and address:

Director, Division of Federal Occupational and Beneficiary Health Services, Bureau of Health Care Delivery and Assistance, Room 7-36, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857; and Director, Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Notification procedure:

Inquiries should be addressed to the facility where care has been obtained. Individual must provide name, beneficiary category, date of birth, service number/Z number (if applicable) and name and location of source of contract care. Identification such as driver's license, passport, voter's registration card, union card, or a written certification verifying the individual's identity is required. An individual who requests access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. Requesters should also reasonably specify the record content being sought.

Record access procedures:

Same as notification procedures.

Contesting record procedures:

Contact the official at the appropriate address specified in the notification procedures above, and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification.

Record source categories:

Individual, employers, other medical care providers, families and social agencies.

Systems exempted from certain provisions of the act:

None.

09-15-0037

System name:

Public Health Service (PHS) and National Health Service (NHSC) Health Care Provider Records System, HHS/HRSA/BHCDA.

Security classification:

None.

System location:

Division of Health Services Scholarships, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857.

Division of National Health Service Corps, Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Parklawn Computer Center, Food and Drug Administration, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

PHS Health Data Genter, Gillis W. Long Hansen's Disease Center, Carville, Louisiana 70721

Records are also located at contractor sites. A list of contractor sites where individually identifiable data are currently located is available upon request to the Policy-Coordinating Official, at that individual's address shown in the 'System Manager(s) and Address' section of this notice.

Partial records are also located at Department of Health and Human Services (HHS) Regional Offices. A list of Regional Offices where individually identifiable data are currently located is available upon request to the Policy-Coordinating Official.

Categories of individuals covered by the system:

Individuals who have applied for, who have been approved to receive, who are receiving, and who have received funds under the PHS and NHSC scholarship programs and NHSC Loan Repayment Program; individuals who have volunteered for service in the NHSC; scholarship recipients who are fulfilling their PHS and/or NHSC scholarship obligations; and individuals who include an interest in employment in or an assignment to a medical facility located in a health manpower shortage area or a medically underserved population area, including public and Federal medical facilities, such as community health centers, Indian Health Service (IHS) medical facilities, and other federally sponsored public health centers.

Categories of records in the system:

Contains name, Social Security number, scholarship application, Loan Repayment Program application, and associated forms, employment data, professional performance, and credentialing history of licensed health professionals; preference for site-selection; personal, professional, and demographic background information; progress reports (which include related data, correspondence, and professional performance information consisting of continuing education, performance awards, and adverse or disciplinary actions); payroll forms, loan repayment forms, deferment and placement data; and repayment/delinquent/default status information.

Authority for maintenance of the system:

Section 333 of the Public Health Service Act, as amended (42 U.S.C. 254f),Assignment of Corps Personnel;

Section 338 of the Public Health Service Act, as amended (42 U.S.C. 254), Scholarship Program and Loan Repayment Program;

Section 202 of Title II of Pub. L. 92-157 (42 U.S.C. 3505d), National Health Manpower Clearinghouse;

Debt Collection Act of 1982,Pub. L. 97-365 (5 U.S.C. 5514 note);

Section 4 of the Debt Collection Act of 1982, Pub. L. 97-365 (5 U.S.C. 5514 note), Requirement That Applicant Furnish Taxpayer Identifying Number; and

Section 215(a) of the Public Health Service Act, as amended (42 U.S.C. 216(a)), for PHS commissioned officers, and 5 U.S.C. 3301 for civil service employees, both of which authorize verification of an individual's suitability for employment.

Purpose(s):

The purposes of this system of records are: (1) To select applicants for the PHS and NHSC scholarship programs and Loan Repayment Program; (2) to monitor scholarship-related activities, such as payment tracking, deferment of service obligation, default, placement, and claims determination; (3) to select and match PHS and NHSC scholarship recipients, NHSC volunteers, and other individuals for assignment to or employment with a private or group practice or to a medical facility located in a health manpower shortage area or a medically underserved population area, including other public and federally sponsored medical programs, such as IHS medical facilities and community health centers; (4) to monitor services provided by NHSC or PHS health providers; (5) to maintain records on and to verify individuals' educational background, previous and current professional employment data, and performance history information to verify that all claimed background and employment data are valid and all claimed credentials are current and in good standing; and (6) to assist Bureau of Health Care Delivery and Assistance (BHCDA) officials in the collection of overdue debts owed under the PHS and NHSC scholarship programs and Loan Repayment Program.

Records in this system are also used by HHS Regional Offices and IHS for the purpose of negotiating site assignment, and by PHS for the purpose of recruiting health professionals for PHS programs.

Records may be transferred to System No. 09-15-0045, "Health Resources and Services Administration Loan Repayment/Debt Management Records System, HHS/HRSA/OA," for debt collection purposes when BHCDA officials are unable to collect overdue debts owed under the PHS and NHSC scholarship programs and Loan Repayment Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The Health Resources and Services Administration (HRSA) may disclose records to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof, or

(b) Any HHS employee inhis or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS,where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the affective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

4. HRSA may disclose records consisting of names, disciplines, current mailing addresses, and dates of graduation or scholarship recipients to designate coordinators at each school or medicine, osteopathy, and denistry participating in the scholarship program for the purpose of guiding and informing these recipients about the nature of their forthcoming professional service obligation in health manpower shortage areas or medically underserved population areas.

5. HRSA may disclose records consisting of name of scholarship recipient, professional school he/she is attending, and the date of graduation to healkth professions associations and other interested health professions groups which have responsibility for coordinating funds paid to students from Federal and other sources.

6. HRSA may disclose records to Department contractors and subcontractors for the purpose of collecting, compiling, aggregating, analyzing, or refining records in the system. Contractors maintain, and are also required to ensure that subcontractors maintain, Privacy Act safeguards with respect to such records.

7. HRSA may disclose records to Department contractors and subcontractors for the purpose of recruiting, screening, and matching health professionals for assignment to or employment in a medical facility located in health manpower shortage areas or medically underserved population areas, including other federally sponsored programs, such as IHS medical facility sites and community health centers. In addition, Department contractors and subcontractors (1) may disclose biographic data and information supplied by potential applicants (a) to references listed on application and associated forms for the purpose of evaluating the applicant's professional qualifications, experience, and suitability, and (b) to a State or local government medical licensing and/or to the Federation of State Medical Boards or a similar nongovernment entity for the purpose of verifying that all claimed background and employment data are valid and all claimed credentials are current and in good standing; (2) may disclose biographic data and information supplied by references listed on application and associated forms to other references for the purpose of inquiring into the applicant's professional qualifications and suitability; (3) may disclose professional suitability evaluation information to NHSC officials, prospective employers, or to site representatives, for the purpose of appraising the applicant's professional qualifications and suitability for site assignment or employment. Contractors maintain, and are also required to ensure that subcontractors maintain, Privacy Act safeguards with respect to such records.

8. HRSA may disclose records consisting of name, Social Security number, employment history, educational data, accreditation, licensing, and professional qualification data to a State or local government medical licensing board and/or to the Federation of State Medical Boards or a similar nongovernmental entity which maintains records concerning an individual's employment history or concerning the issuance, retention or revocation of licenses or registrations necessary to practice a health professional occupation or specialty. The purposes of this disclosure are (1) to enable HRSA to obtain information relevant to a decision concerning a health professional's accomplishments, professional and personal background qualifications, and experience to determine the individual's suitability or employment, retention, or termination as as health services provider in a medical facility located in a health manpower shortage area or a medically underserved population area, and (2) to inform medical licensing boards or the appropriate nongovernment entities about the health care practices of a practicing, terminated, resigned, or retired health services provider whose professional health care activity so significantly failed to conform to generally accepted standards of professional medical practice as to raise reasonable concern for the health and safety of private sector patients.

9. HRSA may disclose information from this system of records to private parties such as present and former employers, references listed on application and associated forms, other references and educational institutions. The purpose of such disclosures is to evaluate an individual's professional accomplishments, performance, and educational background, and to determine if an applicant is suitable for employment in/assignment to a medical facility located in a health manpower shortage area or a medically underserved population area.

10. HRSA may disclose information from this system of records to a cnsumer reporting agency (credit bureau) to obtain a commercial credit report for the following purposes:

a. To establish creditworthiness of a scholarship applicant; and

b. To assess and verify the ability of a debtor to repay debts owed to the Federal Government.

Disclosures are limited to the individual's name, address, Social Security number and other information necessary to identify him/her; the funding being sought or amount and status of the debt; and the program under which the application or claim is being processed.

11. HRSA will disclose from this system of records a delinquent debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose, as follows:

a. To another Federal agency so that agency can effect a salary offset for debts owed by Federal employees; if the claim arose under the Social Security Act, the employee must have agreed in writing to the salary offset.

b. To another Federal agency so that agency can effect an unauthorized administrative offset; i.e., withhold money, other than Federal salaries, payable to or held on behalf of debtors.

c. To the Treasury Department, Internal Revenue Service (IRS), to request a debtor's current mailing address to locate him/her for purposes of either collecting or compromising a debt, or to have a commercial credit report prepared.

12. HRSA may disclose information from this system of records to another agency that has asked the Department to effect a salary or administrative offset to help collect a debt owed to the United States. Disclosure is limited to the individual's name, address, Social Security number, and other information necessary to identify the individual, to information about the money payable to or held for the individual, and other information concerning the offset.

13. HRSA may disclose to the Treasury Department, Internal Revenue Service (IRS), information about an individual applying for a loan under any loan program authorized by the Public Health Service Act to find out whether the loan applicant has a delinquent tax account. This disclosure is for the sole purpose of determining the applicant's creditworthiness and is limited to the individual's name, address, Social Security number, other information necessary to identify him/her, and the program for which the information is being obtained.

14. HRSA will report to the Treasury Department, Internal Revenue Service (IRS), as taxable income, the written-off amount of a

debt owed by an individual to the Federal Government when a debt becomes partly or wholly uncollectable—either because the time period for collection under the statute of limitations has expired, or because the Government agrees with the individual to forgive or compromise the debt.

15. HRSA will disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect a Federal debt, information necessary to identify a delinquent debtor. Disclosure will be limited to the debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose.

16. HRSA will disclose information from this system of records to any third party that may have informaiton about a delinquent debtor's current address, such as a U.S. post office, a State motor vehicle administration, a professional organization, an alumni association, etc., for the purpose of obtaining the debtor's current address. This disclosure will be strictly limited to information necessary to identify the individual, without any reference to the reason for the agency's need for obtaining the current address.

17. HRSA may disclose information from this system of records to other Federal agencies that also provide scholarship funding at the request of these Federal agencies in conjunction with a matching program conducted by these Federal agencies to detect or curtail fraud and abuse in Federal scholarship programs, and to collect delinquent loans or benefit payments owed to the Federal Government.

18. HRSA will disclose from this system of records to the Department of Treasury, Internal Revenue Service (IRS): (1) A delinquent debtor's name, address, Social Security number, and other information necessary to identify the debtor; (2) the amount of the debt; and (3) the program under which the debt arose, so that IRS can offset against the debt any income tax refunds which may be due to the debtor.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of these disclosure are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, computer tape, discs, and punched cards.

Retrievability:

Names, Social Security numbers, or other identifying numbers.

Safeguards:

1. Authorized Users: Access is limited to authorized personnel in the performance of their duties. Authorized personnel include: System managers and their staff, NHSC headquarters and Regional Office officials, financial and fiscal management personnel, computer personnel, and NHSC contractors—all of whom are responsible for administering the scholarship programs.

2. Physical Safeguards: Magnetic tapes, discs, other computer equipment, and other forms of personal data are stored in areas where fire and life safety codes are strictly enforced. All automated and nonautomated documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas. ADP remote stations are locked during non-standard working hours. Twenty-four hour, seven-day security guards perform randon checks on the physical security of the data and the storage areas. Backup files are maintained in an off-site facility with controlled entrances and exits.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data to authorized users only. All users of personal information in connection with the performance of their job (see Authorized Users, above) protect information from public view and from unauthorized personnel entering an unsupervised office. Codes by which automated files may be accessed are changed periodically. This procedure also includes deletion of access codes when employees leave. New employees are briefed and the guard office is notified of all staff members authorized to be in secured areasduring non-working hours. This list is revised as employees are gained or lost.

Access to records is strictly limited to those staff members trained in accordance with the Privacy Act and DP security procedures. Contractors are required to maintain, and are also required to ensure that subcontractors maintain, confidentiality safeguards with respect to these records. Contractors and subcontractors are instructed to make no further disclosure of the records except as authorized by the System Manager and permitted by the Privacy Act. All individuals who have access to these records receive the appropriate ADP facilities for the purpose of ensuring that ADP security clearances. NHSC personnel make site visits to ADP security procedures continue to be met. Privacy Act and ADP system security requirements are specifically included in contacts. System Managers oversee compliance with these requirements.

4. Implementing Guidelines: The safeguards described above were established in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS hf:45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Applications of individuals not selected for participation in a scholarship program are retained for 6 months, then destroyed by shredding. Applications, contracts, and other records of NHSC scholarship recipients are retained through the completion or other disposition of the scholarship service obligation, then sent to the Federal Records Center for an additional 7-year retention period and destroyed in accordance with Federal Records Center disposal standards. Automated historical tapes are sent to a Federal Records Center and the initial records are destroyed in accordance with the HRSA Records Control Schedule.

System manager(s) and address:

Policy-Coordinating Official: Director, Bureau of Health Care Delivery and Assistance, HRSA, 5600 Fishers Lane, Rockville, MD 20857.

Scholarship Applicants/Recipients: Director, Division of Health Services Scholarships, Bureau of Health Care Delivery and Assistance, HRSA, 5600 Fishers Lane, Rockville, MD 20857.

Placement/Assignment: Director, Division of National Health Service Corps, Bureau of Health Care Delivery and Assistance, HRSA, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To find out if the system contains records about you, contact the Policy-Coordinating Official. The Policy-Coordinating Official will then refer the requester to the appropriate System Manager or Regional Office.

Requests in person: A subject individual who appears in person at a specific location seeking access to or disclosure of records relating to him/her shall provide his/her name, current address, Social Security number or other identifying numbers, dates of enrollment in the scholarship program, and at least one piece of tangible identification such as driver's license, passport, or voter registration card. Identification papers with current photographs are preferred but not required. If a subject individual has no identification but is personally known as an agency's employee, such employee shall make a written record verifying the subject individual's identity. Where the subject individual has no identification papers, the responsible agency official shall require that the subject individual certify in writing that he/she is the individual who he/she claims to be and that he/she understands that the knowing and willful request or acquisition of a record concerning an individual under false pretenses is a criminal offense subject to a 5,000 dollars fine.

Requests by mail: A written request must contain the name and address of the requester, Social Security number or other identifying numbers, and his/her signature which is either notarized to verify his/her identity or includes a written certification that the requester is the person he/she claims to be and that he/she understands that the knowing and willful requests or acquisition of records pertaining to an individual under false pretenses is a criminal offense subject to a 5,000 dollars fine. In addition, the following information is needed: Dates of enrollment in the scholarship program, and current enrollment status, such as pending application apporoval, deferment of service obligation, or shortage area placement.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as notification procedures. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Contact the Policy-Coordinating Official, provide a reasonable description of the record, specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals whose records are contained in the system; educational institutions attended; internship and/or residency training progress reports; NHSC Site Selection Questionnaires; NHSC Private Practice Option Agreements; Bureau of Health Professions Area Resources File tapes; PHS Commissioned Personnel Operations Division and U.S.Office of Personnel Management personnel records; health professional associations; DHHS contractors/subcontractors; consumer reporting agencies/credit bureaus; or participating lending institutions; other Federal agencies, including but not limited to the Department of the Treasury, the Internal Revenue Service (IRS), and the U.S. Postal Service; State or local government medical licensing board and/or the Federation of State Medical Boards or a similar nongovernment entity; and third parties who provide references concerning the subject individual.

Systems exempted from certain provisions of the act:

None.

09-15-0038

System name:

Disability Claims of the Nursing Student Loan Program, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-34, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Categories of individuals covered by the system:

Applicants for cancellation of nursing student loans due to disability.

Categories of records in the system:

Letter requests claiming disability, correspondence, payment determinations and medical records or reports.

Authority for maintenance of the system:

Section 836 of the Public Health Service Act, as amended (42 U.S.C. 297b), Nursing Student Loan Provisions.

Purpose(s):

To determine the eligibility of applicants who request loan cancellation due to total and permanent disability.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementinq the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders. Medical records and reports are temporarily held during medical evaluation and then returned to and retained by nursing schools upon final determination of claim validity.

Retrievability:

Name of individual.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to only those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical Safeguards: File folders, medical records, reports and other forms of personal data are stored in areas where files are locked or rooms locked during off duty hours.

3. Procedural Safeguards: All users of personal information in connection with the performance of their job protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members training in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual.

Retention and disposal:

Records will be retained for 6 years after phase out of loan program; 1 year on site and 5 years at the Federal Records Center. Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. Contact the System Manager for the disposal standards.

System manager(s) and address:

Chief, Student and Institutional Support Branch/Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building Room 8-48, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Request must be made to the System Manager. An individual who requests notification of, or access to, a medical record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Requests in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Contact the Systems Manager and give a reasonable description of the record. An individual who requests access of a medical record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Contesting record procedures:

Contact the System Manager and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification.

Record source categories:

Individual claimants.

Systems exempted from certain provisions of the act:

None.

09-15-0039

System name:

Disability Claims in the Health Professions Student Loan Program, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Washington National Records Center, 4205 Suitland Road, Suitland, MD. 20409.

Categories of individuals covered by the system:

Applicants for cancellation of health professions student loans due to disability. These health professions are included: Medicine, dentistry, osteopathy, optometry, pharmacy, podiatry, veterinary medicine.

Categories of records in the system:

Letter requests claiming disability, correspondence, payment determinations and medical records or reports.

Authority for maintenance of the system:

Section 741(d) of the Public Health Service Act, as amended (42 U.S.C. 294n), Health Prefessions Student Loan Program provisions.

Purpose(s):

To determine the eligibility of applicants who request loan cancellation due to total and permanent disability.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the records of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. In the event of litigation where the defendant is

(a) The Department, any component of the Department, or any employee of the Department in his or her official capacity;

(b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or

(c) Any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders. Medical records and reports are temporarily held during medical evaluation and then returned to and retained by health professions schools upon final determination of claim validity.

Retrievability:

Name of individual.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to only those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical Safeguards: File folders, medical records, report and other forms of personal data are stored in areas where files are locked or rooms locked during off duty hours.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS. hf: 45-13 of the General Administration Manual.

Retention and disposal:

Records will be retained for 6 years after phaseout of loan program; 1 year on site and 5 years at the Federal Records Center. Records are disposed of in accordance with the Records Controls Schedule of the Health Resources and Services Administration. Contact the Systems Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Support Branch/Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Requests must be made to the System Manager. An individual who requests notification of, or access to, a medical record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual or its contents at the representative's discretion.

Requests in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No vertification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Request by mail: Requests for information and/or access to records received by mail contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Contact the System Manager and give a reasonable description of the record. An individual who requests access of a medical/dental record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Contesting record procedures:

Contact the System Manager giving a reasonable description of the record, specify the information you want to contest, and state the corrective action sought, with supporting justification.

Record source categories:

Individual claimants.

Systems exempted from certain provisions of the act:

None.

09-15-0040

System name:

Health Professions Student Loan Repayment Program, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Division of Computer Research and Technology, NIH Building 12, 9000 Rockville Pike, Bethesda, MD 20205.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Categories of individuals covered by the system:

Applicants for repayment of health professions student loans—medicine, dentist, osteopathy, optometry, pharmacy, podiatry, verterinary medicine.

Categories of records in the system:

Application and associated forms, correspondence.

Authority for maintenance of the system:

Section 741(f) of the Public Health Service Act, as amended (42 U.S.C. 294n), Health Professions Student Loan Program provisions.

Purpose(s):

Date have been used by Loan Repayment Program Staff to identify the borrowers participating in the program, to determine eligibility of loan applicants, to determine current status of loan repayment agreements, to calculate amounts received under agreements, and to compile and generate managerial and statistical reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1.Disclosure may be made to a congressional office from the records of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines the the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and magnetic tapes.

Retrievability:

Name of individual.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to onlay those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical safeguards: All files are kept in standard locking file cabinets which are locked during non-duty hours. Magnetic tapes and computer equipment are access controlled by system manager.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records will be retained for 6 years after completion of the service obligation or repayment to the Secretary in cases of default; 1 year on site and 5 years at the National Records Center. Records on magnetic tape are retained for 5 years and then they are destroyed. Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Support Branch/Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-34, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Requests must be made to the System Manager.

Requst in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Contact the System Manager and give a reasonable description of the record.

Contesting record procedures:

Contact the System Manager giving a reasonable description of the record, specify the information you want to contest, and state the corrective action sought, with supporting justification.

Record source categories:

Applicant, applicant's health professions school and lending institutions.

Systems exempted from certain provisions of the act:

None.

09-15-0041

System name:

Health Professions Student Loan Cancellation, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

Applicants for health professions student loan cancellation.

Categories of records in the system:

Application and associated forms, correspondence.

Authority for maintenance of the system:

Section 741(f) of the Public Health Service Act, as amended (42 U.S.C. 294n), Health Professions Student Loan Program provisions.

Purpose(s):

To identify students participating in the cancellation program. To compile and generate managerial and statistical reports for program evaluation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the records of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice,

the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, or whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Name of individual.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to only those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical Safeguards: All folders are kept in standard locking file cabinets which are locked during non-duty hours. Rooms are locked during non-duty hours.

3. Procedural Safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS hf: 45-13 of the General Administration Manual.

Retention and disposal:

Records will be retained for 5 years after retirement of the completion of the request of cancellation of the loan. Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Support Branch/Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-34, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Requests must be made to the Systems Manager.

Requests in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as a driver's license, passport, voter registration card, or union card. Identification paper with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Contact the System Manager and give a reasonable description of the record.

Contesting record procedures:

Contact the System Manager giving a reasonable description of the record, specify the information you want to contest, and state the corrective action sought, with supporting justification.

Record source categories:

Applicant, school and State Health Authority.

Systems exempted from certain provisions of the act:

None.

09-15-0042

System name:

Physician Shortage Area Scholarship Program, HHS/HRS/BHCDA.

Security classification:

None.

System location:

Division of Health Services Scholarships, Bureau of Health Care Delivery and Assistance, 5600 Fishers Lane, Rockville, MD 20857.

Division of Computer Research and Technology, NIH, Building 12, 9000 Rockville Pike, Bethesda, MD 20205.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Gillis W. Long Hansen's Disease Center, Carville, LA 70721.

Categories of individuals covered by the system:

Applicants for the recipients of Physician Shortage Area grants in the field of medicine and osteopathy.

Categories of records in the system:

Grant applications, awards, and correspondence.

Authority for maintenance of the system:

Section 409(b) of the Health Professions Educational Assistance Act of 1976, (42 U.S.C. 259g).

Purpose(s):

To select award recipients, and to monitor their payments, their continued eligibility, and their placement in health manpower shortage areas in fulfillment of their service obligations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is revelant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of this disclosure are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Disclosure may be made to State Boards of Medical Examiners and to equivalent State licensing boards of professional review actions which adversely affect the clinical privileges of health care professionals who either:

(1) Are or were employed by the Federal Government;

(2) Provide or have provided health care service under a fee-for-service contract with the Federal Government; or

(3) Provide or have provided health care services on behalf of the Federal Government as a volunteer or as a visiting fellow.

Boards of Medical Examiners and equivalent State licensing boards are required by the Health Care Quality Improvement Act of 1986 and by the Medicare and Medicaid Patient and Program Protection Act of 1987 to report this informaiton to the National Practitioner Data Bank.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and magnetic tape.

Retrievability:

Name or program ID number.

Safeguards:

1. Authorized Users:

Administrative and staff personnel of the Division of Health Services Scholarships and other components of the Bureau of Health Care Delivery and Assistance who have responsibility for implementing the NHSC Scholarship Program.

2. Physical Safeguards:

Magnetic tapes, disks, other computer equipment, and other forms of personal data are stored in areas where fire and life safety codes are strictly enforced. Twenty-four hour, 7-day security guards perform random checks on the physical security of the data. All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards:

A password is required to access the terminal and a data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Applications, contracts and other records of selectees to the program are retained through the completion or other disposition of the scholarship service obligation. The records are then sent to the Federal Records Center for a seven year retention period and then disposed of in accordance with the Health Resources and Services Administration Records Control Schedule.

System manager(s) and address:

Director, Division of Health Services Scholarships, BHCDA, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if a record exists, write to the System Manager. Individual must provide positive identification, such as driver's license, passport, voter's registration card, union card, or a written certification verifying his or her identity. Requestors should also reasonably specify the record contents being sought.

Record access procedures:

Same as Notification Procedures.

Contesting record procedures:

Contact the System Manager giving a reasonable description of the record, specify the information you want to contest, and state the corrective action sought, with supporting justification.

Record source categories:

Applicant and applicant's health professions school.

Systems exempted from certain provisions of the act:

None.

09-15-0043

System name:

Cuban Loan Program, HHS/HRSA/OA.

Security classification:

None.

System location:

Debt Management Branch, Division of Fiscal Services, OA/HRSA, Room 16A-08, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Categories of individuals covered by the system:

Applicants and recipients of Cuban Loan for medical students.

Categories of records in the system:

Applications, and associated forms, correspondence.

Authority for maintenance of the system:

Migration and Refugee Assistance Act of 1962 (8 U.S.C. 1255).

Purpose(s):

The purposes of this record system are to:

(a) Maintain, by borrower, all information relative to the application for and/or awarding of a medical school loan to an individual who qualifies under the Migration and Refugee Assistance Act;

(b) Provide proof of the notice of award, amount of original indebtedness and repayment schedule; and

(c) Support all repayment claims and/or necessary collection actions until the loan obligation is satisfied.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for whch the records were collected.

3. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of this disclosure are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files of individual borrowers are maintained in a standard upright file cabinet. All original promissory notes are kept in a fire-proof file safe.

Retrievability:

All record files are maintained and indexed alphabetically by last name and can be retrieved accordingly.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to only those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical Safeguards: All folders are kept in standard up-right locking file cabinets which are locked during non-duty hours. Original Promissory Notes are maintained in a fire-proof file safe. Twenty-four hour, seven days a week, security guards perform random checks on the physical security of the data.

3. Procedural safeguards: All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records will remain onsite until all financial obligations have been satisfied. Records will then be forwarded to the Federal Records Center for 10 years.

Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Debt Management Branch, Division of Fiscal Services, OA/HRSA, Room 16A-08, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if a record exists, an individual must either come to the office or write to the System Manager. Individuals in either case, must provide positive identification, such as a driver's license, passport, voters registration, union card, or a written certification verifying his or her identity. The person should then be able to reasonably specify the contents of the record being sought.

Record access procedures:

Contact the System Manager and give a reasonable description of the record.

Contesting record procedures:

To contest the contents of a record, an individual must contact the System Manager, identify him or herself and give a reasonable description of the record. He or she must then specify the information being contested and state the corrective action being sought, with supporting justification.

Record source categories:

Applicant and applicant's health professions school.

Systems exempted from certain provisions of the act:

None.

09-15-0044

System name:

Health Education Assistance Loan Program (HEAL) Loan Control Master File, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-23, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Records are also located at contractor sites. A list of contractor sites where individually identifiable data are currently located is available upon request to the System Manager.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Categories of individuals covered by the system:

Applicants for and recipients of Health Education Assistance Loans.

Categories of records in the system:

Contains name, social security number or other identifying number, birthdate, demographic background, educational status, loan location and status, and financial information about the individual for whom the record is maintained. Contains lender and school identification.

Authority for maintenance of the system:

Sections 727 and 728 of the Public Health Service Act, as amended (42 U.S.C. 294), which authorize the establishment of a Federal program of student loan insurance;

Section 739 of the Public Health Service Act, as amended (42 U.S.C. 2941), which directs the Secretary to require institutions to provide information for each student who has a loan;

Debt Collection Act of 1982 (5 U.S.C. 5514 note); and

Section 222 of the Health Professions Training Assistant Act of 1985 (50 U.S.C. App. 462 note), which provides for a study on compliance with the Selective Service Act.

Purpose(s):

Purpose of this system is (1) to identify students participating in the HEAL Program; (2) to determine eligibility of loan applicants and to compute insurance premium for Federal insurance; (3) to monitor the loan status of HEAL recipients, which includes the collection of overdue debts owed under the HEAL Program; and (4) to compile and generate managerial and statistical reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal aasociates, educational and financial institutions, and collection agencies. The purpose of such disclosures is to verify the identity of the loan applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and abuse, to verify compliance with program regulations, and to locate delinquent borrowers through preclaims assistance. Information may be disclosed to educational or financial institutions to assist them in loan management.

2. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

3. The Department of Health and Human Services (HHS) may disclose information fom this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

4. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or any rule, regulation or order issued pursuant thereto.

5. HRSA will disclose from this system of records a delinquent debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose, as follows:

a. To another Federal agency so that agency can effect a salary offset for debts owed by Federal employees; if the claim arose under the Social Security Act, the employee must have agreed in writing to the salary offset.

b. To another Federal agency so that agency can effect an authorized administrative offset; i.e., withhold money payable to or held on behalf of debtors other than Federal employees.

c. To the Treasury Department, Internal Revenue Service (IRS), to request a debtor's current mailing address to locate him/her for purposes of either collecting or compromising a debt, or to have a commercial credit report prepared.

6. Records may be disclosed to the General Accounting Office and to the Office of Management and Budget for auditing financial obligations to determine compliance with programmatic, statutory, and regulatory provisions.

7. HRSA may disclose information from this system of records to a consumer reporting agency (credit bureau) to obtain a commercial credit report for the following purposes:

a. To establish creditworthiness of a loan applicant; and

b. To assess and verify the ability of a debtor to repay debts owed to the Federal Government.

Disclosures are limited to the individual's name, address, Social Security number and other information necessary to identify him/her; the funding being sought or amount and status of the debt; and the program under which the application or claim is being processed.

8. HRSA may disclose to the Treasury Department, Internal Revenue Service (IRS), information about an individual applying for a loan under any loan program authorized by the Public Health Service Act to find out whether the loan applicant has a delinquent tax account. This disclosure is for the sole purpose of determining the applicant's creditworthiness and is limited to the individual's name, address, Social Security number; other information necessary to identify him/her, and the program for which the information is being obtained.

9. HRSA will report to the Treasury Department, Internal Revenue Service (IRS), as taxable income, the written-off amount of a debt owed by an individual to the Federal Government when a debt becomes partly or wholly uncollectable—either because the time period for collection under the statute of limitations has expired, or because the Government agrees with the individual to forgive or compromise the debt.

10. HRSA will disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect a Federal debt, information necessary to identify a delinquent debtor. Disclosure will be limited to the debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose.

11. HRSA will disclose information from this system of records to any third party that may have information about a delinquent debtor's current address, such as a U.S. post office, a consumer reporting agency (credit bureau), a State motor vehicle administration, a professional organization, an alumni association, etc., for the purpose of obtaining the debtor's current address. This disclosure will be limited to information necessary to identify the individual.

12. Records may be disclosed to the Director, Selective Service, for the purpose of determining if draft eligible students participating in the HEAL program are registrants of the Military Selective Service System. Disclosure will be limited to the eligible student's name and other information necessary to determine if the individual is a registrant of the Military Selective Service System. The purpose of this disclosure will result in aggregate data which HEAL program managers will use to determine if health professions schools are engaged in a pattern or practice of not complying with the Military Selective Service Act.

13. Records may be disclosed to Department contractors and subcontractors for the purpose of assisting HEAL program managers in collating, compiling, aggregating, or analyzing records used in administering the HEAL program. Contractors maintain, and are also required to ensure that subcontractors maintain, Privacy Act safeguards with respect to the records.

14. HRSA may disclose from this system of records to the Department of Treasury, Internal Revenue Service (IRS): (1) A delinquent debtor's name, address, Social Security number, and other necessary information to identify the debtor; (2) the amount of the debt; and (3) the program under which the debt arose, so that the IRS can offset against the debt any income tax refunds which may be due to the debtor.

15. HRSA may disclose the complete loan file of defaulted HEAL recipients to potential purchasers of HEAL loans to enable them to value and price the loans, and to actual purchasers to enable them to collect the defaulted loans. The purpose of this disclosure will be to facilitate the sale and collection of defaulted HEAL loans. Potential purchasers are required to maintain Privacy Act safeguards with respect to the records.

Effective date: January 26, 1990.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552(a)(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of these disclosures are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable HRSA to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number (SSN), and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, and disc packs.

Retrievability:

Social Security Number or other identifying number.

Safeguards:

1. Authorized Users: Access is limited to authorized HEAL personnel and contractors responsible for administering the HEAL program. Authorized personnel include HEAL employees and officials, financial and fiscal management personnel, computer personnel, and program managers who have responsibilities for implementing the HEAL program.

2. Physical Safeguards: Magnetic tapes, disc packs, computer equipment and other forms of personal data are stored in areas where fire and life safety codes are strictly enforced. All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas. Twenty-four hour, seven-day security guards perform random checks on the physical security of the records storage areas.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office.

Access to records is strictly limited to those staff members trained in accordance with the Privacy Act and ADP security procedures. Contractors are required to maintain, and are also required to ensure that subcontractors maintain, confidentiality safeguards with respect to these records. Contractors and subcontractors are instructed to make no further disclosure of the records except as authorized by the System Manager and permitted by the Privacy Act. All individuals who have access to these records receive the appropriate ADP security clearances. HEAL personnel make site visits to ADP facilities for the purpose of ensuring that ADP security procedures continue to be met. Privacy Act and ADP system security requirements are specifically included in contracts. The HRSA project directors, project officers, and the System Manager oversee compliance with these requirements.

4. Implementing Guidelines: The safeguards described above were established in accordance with DHHS Chapter 45–13 and supplementary Chapter PHS.hf: 45–13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records will be retained for 5 years after the loan is repaid (1 year on site and 4 years at the Federal Records Center). Stored computer data is retained for aggregate purposes and then destroyed.

System manager(s) and address:

Chief, HEAL Branch/Division of Student Assistance, BHPr/HRSA, Room 8-39, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To find out if the system contains records about you contact the System Manager.

Requests in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Written requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired.

Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as notification procedures. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Contact the System Manager, provide a reasonable description of the record, specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual loan recipients, HEAL schools, lenders, and holders of HEAL loans and their agents.

Systems exempted from certain provisions of the act:

None.

09-15-0045

System name:

Health Resources and Services Administration Loan Repayment/Debt Management Records Systems, HHS/HRSA/OA.

Security classification:

None.

System location:

Division of Fiscal Services, Office of the Administrator, HRSA, Parklawn Building, Room 16-05, 5600 Fishers Lane, Rockville, MD 20857.

Bureau of Health Professions, HRSA, Parklawn Building, Room 8-05, 5600 Fishers Lane, Rockville, MD 20657.

Indian Health Service, HRSA, Parklawn Building, Room 5A-55, 5600 Fishers Lane, Rockville, MD 20857.

Bureau of Health Care Delivery and Assistance, HRSA, Parklawn Building, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857.

National Institute on Drug Abuse, Grants Management Branch, Room 10-25, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

National Institute on Alcohol Abuse and Alcoholism, Grants Management Branch, Room 16-86, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

National Institute of Mental Health, Grants Management Branch, OPS, Room 7C-23, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

National Institutes of Health, Division of Financial Management, Federal Assistance, Accounting Branch, Building 31, Room B1B04, 9000 Rockville Pike, Bethesda, MD 20892.

Washington National Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system:

Individuals who have received student loans, scholarships, traineeships, or grant funds under Titles III, VII, and VIII of the Public Health Service Act, as amended, and who are delinquent in repaying either loans or funds owed in lieu of a service obligation under such programs. The individuals covered by this system include students in various health professions and health professionals such as physicians, dentists, pharmacists, optometrists, podiatrists, veterinarians, public health personnel, nurses, audiologists, speech pathologists, health care administration personnel, medical technologists, chiropractors, clinical psychologists, and other health personnel.

Categories of records in the system:

Contains loan repayment status, amounts of student indebtedness, schools of attendance of borrowers, lending institutions of borrowers, tax identification numbers (Social Security numbers), billing notices, and demographic information pertaining to borrowers funded by the Health Resources and Services Administration (HRSA), the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA), the National Institutes of Health (NIH), or the Indian Health Service (IHS).

Authority for maintenance of the system:

Debt Collection Act of 1982, 5 U.S.C. 5514 note.

Purpose(s):

The purpose of the system is to protect the programmatic and financial integrity of Federal funds awarded to individuals through student loans, scholarships, traineeships, and educational grants administered by HRSA, ADAMHA, NIH, and IHS. The records may also be used by other components within the Department of Health and Human Services to failitate loan or debt management activities. This system is maintained to reduce the amount of outstanding debts owed to the Federal Government.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records may be disclosed to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. Records may be disclosed to authorized persons employed at educational institutions where the recipient received a loan, scholarship, or grant. The purpose of this disclosure is to assist institutions in identifying delinquent borrowers and to enforce the conditions and terms of such loans, scholarships and grants.

3. HRSA will disclose from this system of records a delinquent debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim; and the agency or program under which the claim arose, as follows:

a. To another Federal agency so that agency can effect a salary offset for debts owed by Federal employees: if the claim arose under the Social Security Act, the employee must have agreed in writing to the salary offset.

b. To another Federal agency so that agency can effect an authorized administrative offset; i.e., withhold money payable to or held on behalf of debtors other than Federal employees.

c. To the Department of Treasury, Internal Revenue Service (IRS), to request a debtor's current mailing address to locate him/her for purposes of either collecting or compromising a debt, or to have a commercial credit report prepared.

4. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute, rule, regulation, or order.

5. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party of litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevent and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determine that such disclosure is compatible with the purpose for which the records were collected.

6. Records may be disclosed to the General Accountig Office and to the Office of Management and Budget for auditing financial obligations to determine compliance with programmatic, statutory, and regulatory provisions.

7. HRSA may disclose information from this system of records to another agency that has asked the Department to effect an administrative or salary offset to help collect a debt owed to the United States. Disclosure is limited to the individual's name, address, Social Security number, and other information necessary to identify the individual; information about the money payable to or held for the individual, and other information concerning the administrative or salary offset.

8. HRSA may disclose information from this system of records to be consumer reporting agency (credit bureau) to obtain a commercial credit report for the following purposes:

a. To establish creditworthiness of a loan/grant/scholarhsip/traineeship applicant; and

b. To assess and verify the ability of a debtor to repay debts owned to the Federal Government.

Disclosures are limited to the individual's name, address, Social Security number and other information necessary to identify him/her; the funding being sought or amount and status of the debt; and the program under which the application or claim is being processed.

9. HRSA may disclose to the Department of the Treasury, Internal Revenue Service (IRS), information about an individual applying for a loan under any loan program authorized by the Public Health Service Act to find out whether the loan applicant has a delinquent tax account. This disclosure is for the sole purpose of determining

the applicant's creditworthiness and is limited to the the individual's name, address, Social Security number, other information necessary to identify him/her, and the program for which the information is bing obtained.

10. HRSA will report to the Department of the Treasury, Internal Revenue Service (IRS), as taxable income, the written-off amount of a debt owned by an individual to the Federal Government when a debt becomes partly or wholly uncollectable—either because the time period for collection under the statute of limitations has expired, or because the Government agrees with the individuals to forgive or compromise the debt.

11. HRSA will disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect a Federal debt, information necessary to identify a delinquent debtor. Disclosure will be limited to the debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim; and the agency or program under which the claim arose.

12. HRSA will disclose information from this system of records to any third party that may have information about a delinquent debtor's current address, such as a U.S. post office, a State motor vehicle administration, a professional organization, an alumni association, etc., for the purpose of obtaining the debtor's current address. This disclosure will be limited to information necessary to identify the individual.

13. HRSA will disclose information concerning a delinquent debtor from this system of records to the Department of Justice for litigation or further administrative action.

14. HRSA may disclose records of delinquent debtors to the Defense Manpower Data Center, Department of Defense, to conduct matching programs for the purpose of identifying and locating individuals who are receiving Federal salaries or certain benefit payments resulting from Federal employment and are delinquent in their repayment of debts owed to the U.S. Government and which arose under programs administered by the Public Health Service. HRSA will disclose this information in an effort to collect the debts by administrative or salary offset, under the provisions of the Debt Collection Act of 1982.

15. HRSA may disclose records of delinquent debtors to the United States Postal Service to conduct matching programs for the purpose of identifying and locating individuals who are receiving Federal salaries or certain benefit payments resulting from Federal employment and are delinquent in their repayment of debts owed to the U.S. Government and which arose under programs administered by the Public Health Service. HRSA will disclose this information in an effort to colect the debts by administrative or salary offset, under the provisions of the Debt Collection Act of 1982.

Disclosure to consumer reporting agencies:

Disclosure pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of these disclosures are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable PHS agencies to improve the quality of loan and scholarship decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, Social Security number, and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, ledgers, magnetic tapes, and electronic word processing diskettes.

Retrievability:

Records are retrievable by name, Social Security number, award number, and school of attendance.

Safeguards:

1. Authorized User: Employees and officials directly responsible for programmatic or fiscal activity, including administrative and staff personnel, financial management personnel, computer personnel, and managers who have responsibilities for implementing programs funded by HRSA, ADAMHA, NIH, or IHS.

2. Physical Safeguards: Twenty-four hour building security guard. File folders, reports and other forms of personnel data, and electronic diskettes are stored in areas where fire and life safety codes are strictly enforced. All documents and diskettes are protected during lunch hours and non-duty hours in locked file cabinets or locked storage areas. Magnetic tapes and computer matching tapes are locked in a computer room and tape vault.

3. Procedural Safeguards: Password protection of automated records is provided. All authorized users protect information from public view and from unauthorized personnel entering an office.

Contractors who maintain records in this system are instructed to make no further disclosure of the records except as authorized by the System Manager and permitted by the Privacy Act. Privacy Act requirements are specifically included in contracts. The HRSA project directors, project officers, and the System Manager oversee compliance with these requirements.

4. Implementing Guidelines: The safeguards described above were established in accordance with the DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administrative Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records are retained by the responsible organizations listed under "System Location" for two years after completion of the repayment of the loan. The records are then sent to the Federal Records Center for a four-year retention period, and are subsequently disposed of in accordance with HRSA, ADAMHA, NIH, or IHS Records Control Schedule, whichever is applicable. The records control schedule and disposal standards for these records may be obtained by writing to the System Manager at the address below.

System manager(s) and address:

Policy-Coordinating Official: Associate Administrator for Operations and Management, Health Resources and Services Administration, Room 14A-03, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Office of the Administrator: Chief, Debt Management Branch, Division of Fiscal Services, Health Resources and Services Administration, Room 16A-09, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Indian Health Service: Chief, Financial Management Branch, Indian Health Service, Room 5A-38, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Bureau of Health Professions: Director, Office of Debt Management, Bureau of Health Professions, Room 8A-43, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To find out if the system contains records about you, contact the System Manager.

Requests in person: A subject individual who appears in person at a specific location seeking access to or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. If a subject individual has no identification but is personally known to an agency employee, such employee shall make a written record verifying the subject individual's identity. Where the subject individual has no identification papers, the responsible agency official shall require that the subject individual certify in writing that he/she is the individual who he/she claims to be and that he/she understand that the knowing and willful request or acquisition of a record concerning an individual under false pretenses is a criminal offense subject to a 5,000 fine. In addition, the following information is needed: (1) The name of the assistance program that he/she participated in, (2) dates of enrollment in the program, and (3) school(s) of attendance.

Requests by mail: Written requests must contain the name and address of the requester, his/her date of birth, and either his/her notarized signature to verify his/her identity, or a written certification that the requester is who he/she claims to be and understands that the knowng and willful request or acquisition of records concerning an individual under false pretenses is a criminal offense subject to a 5,000 fine. In addition, the following information is needed: The name of the assistance program that he/she participated in, and for student assistance programs dates of enrollment in the program, and school(s) of attendance.

In addition, be informed that provision of the Social Security number may assist in the verification of your identity as well as the identification of your record. Providing your Social Security number is voluntary and you will not be refused access to your record for failure to disclose your Social Security number.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as notification procedures. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Contact the appropriate System Manager, provide a reasonable description of the record, specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals whose records are contained in the system: Federal organizations, including but not limited to the Office of Inspector General/DHHS, the Office of the Administrator, the Bureau of Health Professions, and the Bureau of Health Care Delivery and Assistance—all of which administer HRSA-funded programs; ADAMHA system of records 09-03-0027 "Grants and Cooperative Agreements: Research, Research Training, Research Scientist Development, Education, Demonstration, Prevention, Fellowships Clinicial Training, Community Programs, HHS/ADAMHA/OA"; NIH system of records 09-25-0112 "Extramual Awards: Rearch, Research Training, Fellowship and Construction Applications and Awards, HHS/NIH/OD"; IHS system of records 09-17-0002 "Indian Health "Indian Health Service Scholarship Program, HHS/HRSA/IHS;" participating schools; lending institutions; consumer reporting agencies (credit bureaus); and other Federal agencies, including but not limited to the Department of the Treasury, Internal Revenue Service (IRS), and the U.S. Post Office.

Systems exempted from certain provisions of the act:

None.

09-15-0046

System name:

Health Professions Planning and Evaluation, HHS/HRSA/OA.

Security classification:

None.

System location:

Division of Grants and Procurement Management, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857. In addition, data are at contractor and field work sites as studies are developed, data collected, and reports written. You may request a list of locations where individually identifiable data are currently located from the System Manager, Division of Grants and Procurement Management, HRSA, Room 13A-03, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

Health professionals and students in the various health professions. Physicians, dentists, pharmacists, optometrists, podiatrists, veterinarians, public health personnel, audiologists, speech pathologists, health care administration personnel, nurses, allied health personnel, medical technologists, chiropractors, clinical psychologists, and other health personnel may be included.

Categories of records in the system:

Name, address, health profession, education history, academic grades, employment history, nationality, race, ethnicity, economic background, and sex. The specific data items collected and maintained are determined by the needs of the individual project.

Authority for maintenance of the system:

Public Health Service Act, Section 708 (42 U.S.C. 292h), Health Professions Data, Section 787 (42 U.S.C. 295g-7), Educational Assistance to Individuals from Disadvantaged Backgrounds, Section 798 (42 U.S.C. 295h-7), Educational Assistance to Disadvantaged Individuals in Allied Health Training, and Section 820 (42 U.S.C. 296k), Special Project Grants and Contracts.

Purpose(s):

The Health Resources and Services Administration uses various records in this system to identify problems in the health care training and delivery systems to plan programs to correct those problems, and to evaluate the effectiveness of the resultant programs. The agency assesses the current supply of health professionals and predicts the supply needs of the future. The agency determines nationwide requirements as well as the needs of specific areas.

The agency also collects data on the educational system which supplies health professionals and on specific health education programs. The data are used to develop and test new methods of training and utilizing health professionals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to a verified inquiry from the congressional office made at the written request of that individual.

2. A record may be disclosed for a research purpose, when the Department:

(a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained;

(b) Has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring;

(c) Has required the recipient to--(1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except—(A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; and

(d) Has secured a written statement attesting to the recipient's understanding of, and willingness to abide by these provisions.

3. Disclosure may be made to HHS contractors and their staff, in order to accomplish any of the purposes of the system of records. The recipients are required to protect such records from improper disclosure and to maintain Privacy Act safeguards.

4. The Department may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, magnetic tape, card files, microfilm, microfiche, and disk storage. The needs of each project determine the types of storage actually used.

Retrievability:

By name. In some instances an assigned number may be used to retrieve records.

Safeguards:

Locked building, locked rooms, locked file cabinets, personnel screening, locked computer rooms and computer tape vault, guard service, password protection of automated records and limited access to only authorized personnel may be used. Particular safeguards are selected as appropriate to the type of records included in each project. Authorized personnel are generally limited to contractor personnel directly involved in data collection, compilation, and analysis. (Safeguards are in accordance with Part 6, ADP Systems Security, of the Department's Information Resources Management Manual, with Chapter 45-13, Safeguarding Records Contained in Systems of Records, of the Department's General Administration Manual, and with supplementary Chapter PHS.hf: 45-13.)

Retention and disposal:

The contractor removes personal identifiers and destroys the records when they are no longer needed, as appropriate to the specific project. (Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration.) You may obtain a copy of the disposal standard for a particular project by writing to the System Manager.

System manager(s) and address:

Contracting Officer, Division of Grants and Procurement Management, HRSA, Room 13A-03, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if you are the subject of a record, contact the System Manager and provide suitable identification and, if possible, information about the specific project.

Record access procedures:

To obtain access to your record, contact the System Manager and provide suitable identification, a reasonable description of the record and, if possible, information about the specific project.

Contesting record procedures:

To correct your record, contact the System Manager and provide (a) suitable identification, (b) a reasonable description of the record, (c) the specific information you want corrected, and (d) a precise description of the correction, with supporting justification.

Record source categories:

Subject individuals, State and local health departments, other health providers, health professions schools, and health professions associations may provide information depending on the individual project involved.

Systems exempted from certain provisions of the act:

None.

09-15-0052

System name:

Nurse Practitioner and Nurse Midwifery Traineeship Programs, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Office of Program Support, Room 8C-22, Division of Nursing, Room 5C-26, BHPr, HRSA, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Washington National Records Center, 4205 Suitland Road, Suitland, MD 20409.

Health Resources and Services Administration, Debt Management Branch, DFS/OA/HRSA, Parklawn Building, Room 16-08, 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

Individuals selected to receive nurse practitioner and nurse midwifery traineeships by schools participating in the program.

Categories of records in the system:

A trainee's case file contains a "Traineeship Award Agreement," "Verification of Address Card," and related correspondence with the individual and school(s) attended. Personal information includes name, current address, home address and address of the primary medical care practice location. Social Security medical records or reports may be included when a trainee has requested suspension or cancellation of the payment or practice obligation because of medical disability. After determination of the claim, medical records will be returned to the subject individual or authorized representative.

Authority for maintenance of the system:

Section 822(b) of the Public Health Service Act, as amended (42 U.S.C. 296m), Nurse Practitioner Traineeships.

Purpose(s):

The purpose of the system is to carry out the Department's responsibilities for the Nurse Practitioner Traineeship Program. The Health Resources and Services Administration uses the records to: (1) Determine eligibility of trainees selected by participating schools, (2) determine that the nature, location and duration of practice meets the service commitment of nurses who completed their training, and (3) recover funds from trainees who do not fulfill their practice commitment.

The records in the system are also used by the Health Resources and Service Administration, Accounting and Finance Branch, to monitor the contractual obligations of trainees found to be in default. If the trainee does not fulfill the service commitment, the trainee must repay the traineeship support received, plus interest, to the U.S. Treasury.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof, or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the Court or other tribunal is relevant and necessary to the litigation and would help the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. Disclosure may be made to organizations considered qualified by the Secretary to conduct studies to evaluate the program.

4. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, magnetic tape, and disk storage.

Retrievability:

By name of individual.

Safeguards:

1. Authorized Users: Access to Borrower's Files is limited to only those individuals within the Department having a substantiated need for information. These individuals must have available proof of employment.

2. Physical Safeguards: All folders are kept in standard locking file cabinets which are locked during non-duty hours.

3. Procedural Safeguards; All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS:hf: 45-13 of the General Administration Manual.

Retention and disposal:

Cases files are retired to a Federal Records Center three years after all activity is terminated, usually when the practice or payment obligation has been fulfilled or cancelled. Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. You may obtain a copy of the disposal standard by writing to the System Manager.

System manager(s) and address:

Grants Management Officer, Officer of Program Support, BHPr/HRSA, Room 8C-22, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

To determine if you are the subject of a record, contact the System Manager and provide suitable identification. An individual who requests notification of a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

Record access procedures:

To obtain access to your record, contact the System Manager and provide suitable identification and a reasonable description of the record.

Contesting record procedures:

To correct your record, contact the System Manager and provide (a) suitable identification, (b) a reasonable description of the record, (c) the specific information you want corrected, and (d) a precise description of the correction, with supporting justification.

Record source categories:

Individuals in the system and participating institutions.

Systems exempted from certain provisions of the act:

None.

09-15-0054

System name:

Health Care Practitioner Adverse Credentialing Data Bank, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Records in this system will be located at a facility under contract to the Bureau of Health Professions (BHPr), Health Resources and Services Administration (HRSA). The contractor and facility location(s) will be announced in the final publication of this system notice.

Categories of individuals covered by the system:

Health care practitioners, including physicians, dentists, nurses, optometrists, pharmacists, podiatrists, and all other health care practitioners licensed or otherwise authorized by a State, against whom specified adverse credentialing actions have been taken or for whom malpractice compensation has been paid.

Categories of records in the system:

1. For malpractice compensation. The health care practitioner's name(s); work and home addresses; professional school attended with date of graduation; license number(s); board certification; Drug Enforcement Administration (DEA) registration number; Social Security number if known; known hospital affiliations; the name and address of the entity, such as insurance companies, paying as well as the name, title, and phone number of the individual reporting on behalf of the paying entity; the file number on the claim; date of incident; date of judgment or settlement; and amount of payment with the terms.

2. For State Medical Board action. Health Care Practitioner's name(s); work and home addresses; professional school attended with date of graduation; license number(s); board certification; DEA number; Social Security number if known; the Board action, such as revocation or suspension of the physician's license, censures, reprimands, or placing individual on probation; classification of the action by code, and date of action with the effective date.

3. For adverse clinical privilege action. Health Care Practitioner's name(s), work and home addresses, professional school attended with date of graduation, license number(s), board certification, DEA number, Social Security number if known; action taken, and date of action with the effective date.

For categories 1, 2, and 3, a brief description of the acts or omissions and injuries or illnesses upon which the action or claim was based also is included.

Authority for maintenance of the system:

Health Care Quality Improvement Act of 1986, section 424(b) (42 U.S.C. 11134(b)) authorizes the maintenance of records of medical malpractice payments, disciplinary actions taken by Boards of Medical Examiners, and professional review actions taken by health care entities.

Purpose(s):

The purpose of the system is to: (1) Collect from insurance companies, health care entities, and State licensing boards information affecting the professional qualifications of health care practitioners; and (2) disseminate data on adverse actions taken against health care practitioners to health care entities, which may employ them, and to State licensure boards, as mandated by law.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

HRSA may disclose data to:

1. Each hospital requesting data concerning a health care practitioner who is on its medical staff (courtesy or otherwise) or has clinical privileges at the hospital, and for the purpose of screening the professional qualification of such individuals who seek staff positions or clinical privileges at the hospital. Records also may be disclosed to a requesting hospital at such other times as it needs them. This enables the hospital to meet the requirement of the Health Care Quality Improvement Act of 1986 which also requires each hospital every two years to request data from the system regarding each practitioner on its medical staff or who holds clinical privileges.

2. Other health care entities, such as health maintenance organizations and group medical practices which provide health care services and follow a formal professional review process, as they enter an employment or affiliation relationship with a health care practitioner, or to which the health care practitioner has applied for clinical privileges or appointment to the medical staff. The purpose of the disclosures is to identify health care practitioners whose qualification may be unsatisfactory.

3. A State licensing board conducting a review of the individual to aid the Board in meeting its responsibility to protect the health of the population in its jurisdiction.

4. An attorney who has filed a malpractice action or claim on behalf of a client with a State or Federal court or other adjudicatory body regarding a specific health care practitioner for use solely with respect to litigation resulting from the action or claim.

5. Any Federal entity, employing a health care practitioner or having the authority to sanction such practitioners covered by a Federal program, which (1) Enters into a memorandum of agreement with HHS; (2) conducts a formal professional review process in determining an adverse action against a practitioner; and (3) maintains a Privacy Act system of records regarding the health care practitioners it employs.

This includes the Department of Defense and the Veterans Administration which will contribute data to and withdraw data from the system. They will request data on their staff every two years and also will request information on a practitioner who seeks a medical staff position or clinical privileges.

6. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to effect directly the operation of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an indvidual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, and disc packs.

Retrievability:

At least two identifier levels will be used, such as: (1) Name, individual practitioner's identifying number assigned in the system; and (2) professional school attended and date of graduation. Other identifiers may be State license number(s), Federal and State Drug Enforcement Administration registration numbers, and Social Security number if known.

Safeguards:

1. Authorized Users: Access is limited to authorized BHPr and contract personnel responsible for administering the program. Authorized personnel include the System Manager and Project Officer, and HRSA ADP Systems Security Officer; and the contractor's employees and officials, computer personnel, and program managers who have responsibilities of implementing the program. Both HRSA and the contractor shall maintain current lists of authorized users.

2. Physical Safeguards: Magnetic tapes, disc packs, computer equipment, and hard copy files are stored in areas where fire and life safety codes are strictly enforced. All automated and nonautomated documents are protected on a 24 hour basis in locked storage areas. Security guards perform random checks on the physical security of the records storage areas.

3. Procedural Safeguards: A password is required to access the terminal and a data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. All authorizing users will sign a nondisclosure statement.

Access to records is limited to those staff members trained in accordance with the Privacy Act and ADP security procedures. The contractor is required to assure the confidentiality safeguards of these records and to comply with all provisions of the Privacy Act. All individuals who have access to these records must have the appropriate ADP security clearances. Privacy Act and ADP system security requirements are included in the contract. The BHPr Project Officer and the System Manager oversee compliance with these requirements. HRSA authorized users will make site visits to the contractor's facilities to assure security and Privacy Act compliance.

The safeguards described above were established in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Each record shall be disposed of 15 years beyond the known death date of the practitioner or 15 years beyond the date of an individual's estimated age of 70. This retention span is established because imposters frequently claim the credentials of deceased practitioners in order to attempt to "provide care."

System manager(s) and address:

Deputy Director, Bureau of Health Professions, Room 8-05, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

Requests by mail: To determine if a record exists about you, write to the contractor operating the bank (see SYSTEM LOCATION). The request must contain the name and address of the individual, the identifier number assigned to that practitioner by the system with the first admission of data about him/her into the bank, the name of the professional school attended and the date of graduation, license number(s), State and Federal Drug Enforcement Administration registration number, Social Security number if the individual wishes to provide it; a written statement that the requester is the person he/she claims to be and that he/she understands that the request or acquisition of records pertaining to another individual under false pretenses is a criminal offense subject to a 5,000 dollars fine.

Requests in person: The individual must meet all the requirements stated above for a request by mail, providing the information in written form. The individual should recognize that in order to maintain confidentiality, and thus the accuracy of data released through repeated internal verification, securing the information by request in person will be time consuming.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as notification procedures. Requesters should also provide a reasonable description of the record being sought. Requesters also may request an accounting of disclosures that have been made of their records, if any.

Contesting record procedures:

Any physician or health care practitioner may dispute the accuracy of information in the data system concerning himself/herself.

1. Procedures for filing a dispute. The practitioner:

a. Informs the System Manager and the reporting entity, in writing, of the disagreement, and the basis for it;

b. Requests simultaneously that the disputed information be entered into a "disputed" status and be reported to inquirers as being in a "disputed" status; and

c. Enters into discussion with the reporting entity to resolve the dispute.

2. Procedures for revising disputed information.

a. If the reporting entity revises the information originally submitted to the data system, the System Manager will notify all entities to whom reports have been sent that the original information has been revised.

b. If the reporting entity fails to revise the reported information, the System Manager will, upon request, review the written information submitted by both parties (the physician or health care practitioner and the reporting entity), and related information which is available, including, but not limited to, that available from malpractice insurers, test examination results, State administrative procedures and judicial decisions, and the Health Care Financing Administration. After review, the System Manager will either:

(1) Continue to note the information as "disputed," and include a brief statement by the physician or health care practitioner describing the disagreement concerning the information; or

(2) Send corrected information to previous inquirers if the System Manager concludes that the information was incorrect.

Record source categories:

Individuals whose records are contained in the system; insurance companies which have paid or are paying malpractice settlements or judgments; State Medical Boards; State Dental Boards; State Licensing Boards, health care entities; the Drug Enforcement Agency; and Federal organizations who employ health care practitioners.

Systems exempted from certain provisions of the act:

None.

09-15-0056

System name:

National Vaccine Injury Compensation Program, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Bureau of Health Professions (BHPr), Health Resources and Services Administration (HRSA), Room 4-101, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Categories of individuals covered by the system:

Persons filing claims (petitioners) under the National Vaccine Injury Compensation Program (NVICP).

Categories of records in the system:

Petition for compensation, including petitioner's name and name of person vaccinated if different from petitioner, Social Security Number and all relevant medical records, (including autopsy reports, if any), appropriate assessments, evaluations, prognoses, and such other records and documents as are reasonably necessary for the determination of eligibility for and the amount of compensation to be paid to, or on behalf of, the person who suffered such injury or who died from the administration of the vaccine.

Authority for maintenance of the system:

42 U.S.C. 300aa-11 and Executive Order 9397 regarding the Use of Social Security Number.

Purpose(s):

1. To determine eligibility of petitioners to receive compensation under the National Vaccine Injury Compensation Program.

2. To compensate successful petitioners in the amount determine by the court.

3. To evaluate vaccine safety through research programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual, in response to an inquiry from the congressional office made at the written request of the individual.

2. In the event of litigation where the defendent is (a) the Department, any component of the Department, or any employeeof the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending against a claim based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

3. HRSA will contract with expert medical consultants for the purpose of obtaining advice on petitioner's eligibility for compensation. Relevant records may be disclosed to such consultants. The consultants shall be required to maintain Privacy Act safeguards with respect to such records and return all records to HRSA.

4. HRSA will release the petitioner's complete medical file and may release consultants' report to the Department of Justice and the Special Master of the U.S. Claims Court for adjudication of the compensation claim.

5. HRSA will disclose for publication in the FEDERAL REGISTER the petitioner's city and State, and name of person vaccinated, if not the petitioner, as required by the National Childhood Vaccine Injury Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and disks.

Retrievability:

(1) Docket number assigned by the U.S. Claims Court, (2) petitioner and/or name of person vaccinated, and (3) Social Security Number.

Safeguards:

1. Authorized Users: Access is limited to the System Manager and authorized BHPr/HRSA personnel responsible for administering the program. BHPr/HRSA will maintain a current list of authorized users.

2. Physical Safeguards: All files are kept in standard locking file cabinets during non-work hours; and disk packs and computer equipment are kept in areas where fire and life safety codes are strictly enforced. All automated and nonautomated documents are protected on a 24-hour basis in secured areas. Security guards perform random checks on the physical security of the record storage area.

3. Procedural Safeguards: BHPr/HRSA is establishing stringent safeguards in line with the sensitivity of the records. These include: Handcarrying files from office to office in sealed envelopes, transmitting records to consultants by registered mail; escorting visitors into areas where records are maintained; utilizing passwords for computer access; securing areas where records are stored. A password is required to access the terminal and a data set name controls the release of data only to authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office.

Retention and disposal:

The records shall be disposed of by shredding three years after the termination of all administrative and judicial proceedings, as determined by a final adjudication. Upon written notification to the Government, the petitioner shall have the right to reclaim the original medical records submitted to the Government, after the final adjudication.

System manager(s) and address:

Director, Bureau of Health Professions, HRSA, Room 4-101, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedfure:

Requests must be made to the System Manager at the above address.

Requests in person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as a driver's license, passport, voter registration card, or union card. Identification paper with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the records and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: To determine if a record exists about you, write to the System Manager. The request must contain the name and address of the individual, assigned court docket number (if known), and a written statement that the requester is the person he/she claims to be and that he/she understands that the request or acquisition of records pertining to another individual under false pretenses is a criminal offense subject to a 5,000 dollars fine. Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedure:

Same as notification procedures. Individualks may also request an accounting of disclosures that have been made of their records, if any.

Contesting record procedure:

Contact the appropriate official at the address specified under Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action sought and the reason(s) for requesting the correction, along with supporting justification to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Petitioner, petitioner's legal representative, health care consultants, and other interested persons.

Systems exempted from certain provisions of the Act:

None.

09-15-0057

System name:

Scholarships for the Undergraduate Education of Professional Nurses Grant Programs, HHS/HRSA/BHPr.

Security classification:

None.

System location:

Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Room 8-23, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Division of Compter Research and Technology, National Institutes of Health, Building 12, 9000 Rockville Pike, Bethesda, Maryland 20205.

Categories of individuals covered by the system:

Applicants for and recipients of Scholarships for the Undergraduate Education of Professional Nurses Grant Program.

Categories of records in the system:

Contains name, Social Security number, school identifier, grant number, birthdate, demographic background, educational status, school location, employment status, payback status, and financial information about the individual for whom the record is maintained.

Authority for maintenance of the system:

Public Health Service Act, as amended, section 843 (42 U.S.C. 297j). This section authorizes the establishment of a grant program to be administered by schools of nursing for the awarding of Scholarships for the Undergraduate Education of Professional Nurses. Executive Order 9397 regarding the use of Social Security number.

Purpose(s):

1. To maintain all information relative to the application for an awarding of scholarship(s) to an invididual.

2. To monitor recipient's continued eligibility.

3. To monitor recipient's employment in nursing shortage acres in fulfillment of recipient's service obligations.

4. To monitor all repayment actions until the repayment obligation is satisfied.

5. To compile and generate managerial and statistical reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual, in response to an inquiry from the congressional office made at the request of the individual.

2. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when (a) HHS, or any component thereof; or (b) any HHS employee in his or her official capacity; or (c) any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or (d) the United States or any agency thereof, where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in such case HHS determines that such disclosure is compatible with the purpose for which the records were collected.

3. HRSA will disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect or compromise a Federal debt, information necessary to identify a delinquent debtor. Disclosure will be limited to the debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose.

4. Records may be disclosed to authorized persons employed at educational institutions where the recipient received a scholarship. The purpose of this disclosure is to assist institutions in identifying defaulted scholarship recipients (hereafter called debtors) in order to enforce the conditions and terms of such scholarships.

5. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

6. HRSA will disclose from this system of records a debtor's name, address, Social Security number, and other information necessary to identify him/her; the amount, status, and history of the claim, and the agency or program under which the claim arose, as follows: (a) To another Federal agency so that agency can effect a salary offset for debts owed by Federal employees; if the claim arose under the Social Security Act, the employee must have agreed in writing to the

salary offset; (b) to another Federal agency so that agency can effect an authorized administrative offset (i.e., withhold money payable to or held on behalf of debtors other than Federal employees); (c) to the Treasury Department, Internal Revenue Service (IRS), to request a debtor's current mailing address to locate him/her for purposes of either collecting or compromisng a debt, or to have a commercial credit report prepared.

7. Records may be disclosed to the General Accounting Office and to the Office of Management and Budget for auditing financial obligations to determine compliance with programmatic, statutory, and regulatory provisions.

8. HRSA may disclose information from this system of records to another Federal agency that has asked the Department to effect an administrative offset to help collect a debt owed to the United States. Disclosure is limited to the individual's name, address, Social Security number, and other information necessary to identify the individual; information about the money payable to or held for the individual, and other information concerning the administrative offset.

9. HRSA will report to the Treasury Department, Internal Revenue Service (IRS), as taxable income, the written-off amount of a debt owed by an individual to the Federal Government when a debt becomes partly or wholly uncollectable—either because the time period for collection under the statute of limitations has expired or because the Government agrees with the individual to forgive or compromise the debt.

10. HRSA will disclose information from this system of records to any third party that may have information about a delinquent debtor's current address, such as a U.S. post office, a State motor vehicle administration, professional organization, alumni association, etc., for the purpose of obtaining the debtor's current address. This disclosure will be strictly limited to information necessary to identify the individual without any reference to the reason for the agency's need for obtaining the address.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purpose of disclosure is to provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records. Disclosure of records will be limited to the individual's name, Social Security number, and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files of individual borrowers are maintained in a standard upright file cabinet. All original borrower contracts are kept in a fire-proof file safe. Records are maintained in file folders, on magnetic tape, and on computer disc packs.

Retrievability:

All record files are maintained and indexed alphabetically by last name and can be retrieved accordingly. Records will also be retrieved by Social Security number.

Safeguards:

1. Authorized Users: Administrative and staff personnel of the Division of Student Assistance and other components of the HRSA who have responsibility for implementing the Scholarship Program.

2. Physical Safeguards: Magnetic tapes, disks, other computer equipment, and other forms of personal data are stored in area where fire and life safety codes are strictly enforced. Twenty-four hour, 7-day security guards perform random checks on the physical security of the data. All documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas.

3. Procedural Safeguards: A password is required to access the computer system and data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised office. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.

4. Implementation Guidelines: DHHS Chapter 45-13 and supplementary Chapter PHS.hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

Retention and disposal:

Records will be retained for 6 years (1 year on site and 5 years at the National Records Center) after completion of the service obligation or repayment to the Secretary in cases of default. Records on magnetic tape are retained for 5 years and then they are destroyed. Records are disposed of in accordance with the Records Control Schedule of the Health Resources and Services Administration. Contact the System Manager for disposal standard.

System manager(s) and address:

Chief, Student and Institutional Support Branch, Division of Student Assistance, BHPr, HRSA, Room 8-34, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

Notification procedure:

Requests must be made to the System Manager.

Request in Person: A subject individual who appears in person at a specific location seeking access or disclosure of records relating to him/her shall provide his/her name, current address, and at least one piece of tangible identification such as driver's license, passport, voter registration card, or union card. Identification papers with current photographs are preferred but not required. Additional identification may be requested when there is a request for access to records which contain an apparent discrepancy between information contained in the record and that provided by the individual requesting access to the record. No verification of identity shall be required where the record is one which is required to be disclosed under the Freedom of Information Act.

Requests by mail: Requests for information and/or access to records received by mail must contain information providing the identity of the writer and a reasonable description of the record desired. Written requests must contain the name and address of the requester, his/her date of birth and at least one piece of information which is also contained in the subject record, and his/her signature for comparison purposes.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Individuals may also request an accounting of disclosure that have been made of their records, if any.

Contesting record procedures:

Contact the System Manager at the address specified under the Notification Procedures above and reasonably identify the record, specify the information being contested, and state the corrective action and the reason(s) for requesting the correction, along with supporting justification to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual scholarship recipients, recipient's nursing school.

Systems exempted from certain provisions of the act:

None.

Food and Drug Administration

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09-10-0002

System name:

Regulated Industry Employee Enforcement Records. HHS/FDA/OC.

Security classification:

None.

System location:

Appendixes A and B, location of Field/District Offices and location of Federal Records Centers are being republished in their entirety to reflect current addresses.

Categories of individuals covered by the system:

Employees of enterprises regulated by the Food and Drug Administration (FDA) and other individuals subject to FDA enforcement actions.

Categories of records in the system:

Includes correspondence, memoranda, inspection reports, and related documents that are investigatory material compiled for law enforcement purposes.

Authority for maintenance of the system:

Federal Food, Drug and Cosmetic Act (21 U.S.C. 321 et seq.), the Public Health Service Act (42 U.S.C. 201 et seq.), and authority delegated to the Commissioner, 21 CFR Part 5.

Purpose(s):

To provide records used by FDA employees in investigations of possible violation of the law.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records that indicate violation or potential violation of law may be: (1) Referred for investigation and possible enforcement action under the applicable Federal, State, or foreign laws to the Department of Justice and other appropriate Federal agencies; an appropriate State food and drug enforcement health agency or licensing authority; or, the government of a foreign country; or (2) disclosed in administrative or court proceeding in determining whether a record is relevant to an Agency decision concerning documents of investigatory materials.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from that congressional office at the request of that individual.

3. The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

Is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files are maintained in letter-size folders. Automated files are maintained on computer discs and tapes stored in a locked safe.

Retrievability:

Indexed by company or subject, sometimes with individual name in a cross-index on an automated index system.

Safeguards:

1. Authorized users: Administrative Services Branch and Office of Regulatory Affairs personnel.

2. Physical safeguards: Records are kept in locked cabinets in a secured area, locked rooms, locked buildings and limited access to authorized personnel. Computer tapes and discs are stored in a locked safe.

3. Procedural (or technical) safeguards: Computer software providing restricted commands.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf: 45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule and disposal standard for these records may be obtained by writing to the system manager at the address below.

System manager(s) and address:

The policy coordinating official for this system of records is also the system manager for the Office of Regulatory Affairs

Chief, Administrative Services Branch (HFA-210), 5600 Fishers Lane, Rockville, MD 20857
Assistant to the Director, Investigations Operations Branch (HFC-132), Office of Regulatory Affairs, 5600 Fishers Lane, Rockville, MD 20857

Administrative, Investigative and Compliance Branches at Field/District Offices, see Appendix A.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the system manager. If access is denied to requested records, an appeal may be made to:

Commissioner, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

If access has been granted, contact the official at the address specified under notification procedures and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Individual on whom the record is maintained, from third parties such as consumers, scientists, representatives of other companies, state agencies, or developed by FDA during investigations for law enforcement purposes.

Systems exempted from certain provisions of the act:

This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a (c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H) and (f), to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, where access would be likely to prejudice the conduct of the investigation.

Appendix A: Addresses and working hours of the Food and Drug Administration Field Offices

The following is a list of the Food and Drug Administration Field Offices, their addresses and working hours where individuals may have access to records in Food and Drug Administration Privacy Act Record Systems:

NORTHEAST REGION

Regional Office

830 Third Avenue, Brooklyn, NY 11232, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

District Offices

One Montvale Avenue, 3rd Floor, Stoneham, MA 02180, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

850 Third Avenue, 4th Floor, Brooklyn, NY 11232-1593, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

599 Delaware Avenue, Buffalo, NY 14202, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

Regional Laboratory

850 Third Avenue, 4th Floor, Brooklyn, NY 11232-1593, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

Winchester Engineering and Analytical Center (WEAC), 109 Holton Street, Winchester, MA 01890.

MID-ATLANTIC REGION

Regional Office

2nd and Chestnut Streets, Room 900, Philadelphia, PA 19106, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

District Offices

2nd and Chestnut Streets, Room 900, Philadelphia, PA 19106, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

61 Main Street, West Orange, NJ 07052, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

900 Madison Avenue, Baltimore, MD 21201, Office hours: 7:45 a.m. to 4:15 p.m. (e.s.t.).

1141 Central Parkway, Cincinnati, OH 45202-1097, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

SOUTHEAST REGION

Regional Office

60 Eighth Street, NE., Atlanta, GA 30309, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

District Offices

60 Eighth Street, NE., Atlanta, GA 30309, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

297 Plus Park Boulevard, Nashville, TN 37217, Office hours: 8:00 a.m. to 4:30 p.m. (c.t.).

7200 Lake Ellenor Drive, Suite 120, Orlando, FL 32809, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

4298 Elysian Fields Avenue, New Orleans, LA 70122, Office hours: 8:00 a.m. to 4:30 p.m. (c.t.).

Fernandez Juncos Avenue, Puerta de Tierra, San Juan, PR 00906-5719, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

Regional Laboratory

60 Eighth Street, NE., Atlanta, GA 30309, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

MIDWEST REGION

Regional Office

20 N. Michigan Avenue, Room 550, Chicago, IL 60602, Working hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

District Offices

433 W. Van Buren Street, Room 1222, Chicago, IL 60607, Working hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

1560 East Jefferson Avenue, Detroit, MI 48207, Office hours: 8:00 a.m. to 4:30 p.m. (e.s.t.).

240 Hennepin Avenue, Minneapolis, MN 55401, Office hours: 8:00 a.m. to 4:30 p.m. (c.t.).

SOUTHWEST REGION

Regional Office

3032 Bryan Street, Dallas, TX 75204, Office hours: 8:00 a.m. to 4:30 (c.t.).

District Offices

3032 Bryan Street, Dallas, TX 75204, Office hours: 8:00 a.m. to 4:30 (c.t.).

1009 Cherry Street, Kansas City, MO 64106, Office hours: 8:00 a.m. to 4:30 p.m. (c.t.).

Denver Federal Center, Building 20, P.O. Box 25087, Denver, CO 80225-0087, Working hours: 8:00 a.m. to 4:30 p.m. (m.t.).

PACIFIC REGION

Regional Office

Federal Office Building, Room 526, 50 U.N. Plaza, San Francisco, CA 94102, Working hours: 8:00 a.m. to 4:30 p.m. (p.t.).

District Offices

Federal Office Building, Room 526, 50 U.N. Plaza, San Francisco, CA 94102, Working hours: 8:00 a.m. to 4:30 p.m. (p.t.).

1521 W. Pico Boulevard, Los Angeles, CA 90015-2486, Office hours: 8:00 a.m. to 4:30 p.m. (p.t.).

22201 23rd Drive, S.E., Bothell, WA 98021-4421, Office hours: 8:00 a.m. to 4:30 p.m. (c.t.).

Appendix B—General Services Administration, Federal Archives, and Records Centers

National Centers:

District of Columbia, Maryland, Virginia, and West Virginia except for U.S. Court records for Maryland, Virginia, and West Virginia: Washington National Records Center, Washington, DC 20409.

National Personnel Records Center (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118.

National Personnel Records Center (Military Personnel Records), 9700 Page Boulevard, St. Louis, MO 63132.

Regional Centers

Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island, Federal Archives and Records Center, 380 Trapelo Road, Waltham, MA 02154.

New York, New Jersey, Puerto Rico, the Virgin Islands, and the Panama Canal Zone, Federal Records Center, Military Ocean Terminal, Building 22, Bayonne, NJ 07002-5388.

Delaware, Pennsylvania, and U.S. Court records for Maryland, Virginia, and West Virginia, Federal Records Center, 5000 Wissahickon Avenue, Philadelphia, PA 19144.

North Carolina, South Carolina, Tennessee, Mississipi, Alabama, Georgia, Florida and Kentucky, Federal Records Center, 1557 St. Joseph Avenue, East Point, GA 30344.

Illinois, Wisconsin, Minnesota, and U.S. Court records for Indiana, Michigan, and Ohio, Federal Records Center, 7358 South Pulaski Road, Chicago, IL 60629.

Indiana, Michigan, and Ohio except for U.S. Court records, Federal Records Center, 3150 Springboro Road, Dayton, OH 45439.

Kansas, Iowa, Nebraska, and Missouri, Federal Records Center, 2306 East Bannister Road, Kansas City, MO 64131.

Texas, Oklahoma, Arkansas, Louisiana, and New Mexico, Federal Records Center, P.O. Box 6216, Fort Worth, TX 76115.

Shipping address only (do not use for mail), 4900 Hemphill Street, Building 1, Dock 1, Fort Worth, TX.

Colorado, Wyoming, Utah, Montana, North Dakota, and South Dakota, Federal Records Center, P.O. Box 25307, Denver, CO 80225.

American Samoa, California, except Southern California, and Nevada, except Clark County, Federal Records Center, 1000 Commodore Drive, San Bruno, CA 94066.

Arizona; Clark County, Nevada; and Southern California (counties of San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Los Angeles, Riverside, Orange, Imperial, Inyo, and San Diego) Federal Records Center, 24000 Avila Road, 1st Floor, P.O. Box 6719, Laguna Niguel, CA 92677.

Washington, Oregon, Idaho, Alaska, Hawaii, and Pacific Ocean areas (except American Samoa), Federal Records Center, 6125 Sand Point Way NE., Seattle, WA 98115.

09-10-0003

System name:

FDA Credential Holder File. HHS/FDA/ORA/OC.

Security classification:

None.

System location:

FDA employees:

Services Unit (HFA-227), Office of Management and
Operations, 5600 Fishers Lane, Rockville, MD 20857
Office Services Section (HFA-230), Office of Management and
Operations, 200 C Street, SW, Washington, DC 20204
Division of Field Investigations (HFC-130), Office of
Regulatory Affairs, 5600 Fishers Lane, Rockville, MD 20857

Administrative Branch at Field/District Office. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

State and Local Employees: Division of Federal-State Relations (HFC-151), 5600 Fishers Lane, Rockville, MD 20857.

Administrative Branch at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Categories of individuals covered by the system:

FDA employees and state and local government employees who have been issued FDA credentials for enforcement activities.

Categories of records in the system:

Contains name, job title, height, weight, color of eyes and hair, duty status, and for state and local government employees, professional qualifications.

Authority for maintenance of the system:

Sections 702 to 704, the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372 to 374).

Purpose(s):

To issue or reissue credentials which are used to gain entry to regulated establishments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be disclosed to provide assurance to regulated enterprises that an individual is a duly designated enforcement officer and, in the case of state employees, an officer commissioned as an officer of the Department.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in file folders and on computer tapes.

Retrievability:

Indexed by name.

Safeguards:

1. Authorized users: Administrative Services Branch and Office of Regulatory Affairs personnel.

2. Physical safeguards: Records are kept in locked cabinets in a secured area, locked rooms, locked buildings and limited access to authorized personnel. Computer tapes and discs are stored in locked safe.

3. Procedural (or technical) safeguards: Computer software providing restricted commands.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records are retained as long as individual is a duly designated or commissioned official; inactive files destroyed after 10 years. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible.

System manager(s) and address:

FDA Employees:

Chief, Services Unit (HFA-227), Office of Management and Operations, 5600 Fishers Lane, Rockville, MD 20857

Chief, Office Services Section (HFA-230), Office of Management and Operations, 200 C Street, SW, Washington, DC 20204

Administrative Branch at Field/District Offices. For the location of Field /District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Federal-State Officer at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

State Employees: Director, Division of Federal-State Relations (HFC-151), 5600 Fishers Lane, Rockville, MD 20857.

Administrative Branch at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained.

Systems exempted from certain provisions of the act:

None.

09-10-0004

System name:

Communications (Oral and Written) With the Public, HHS/FDA/OMO/DMS.

Security classification:

None.

System location:

Administrative Services Branch (HFA-210), 5600 Fishers Lane, Rockville, MD 20857
Office of Legislative Affairs (HFW-1), 5600 Fishers Lane, Rockville, MD 20857

Administrative Branch at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

For the location of Federal Archives and Records Centers, see Appendix B to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Categories of individuals covered by the system:

Individuals, other than employees of enterprises regulated by FDA, who communicate with FDA or, in some cases, are the subject of communications by others with FDA.

Categories of records in the system:

Includes correspondence from and to individuals, summaries of conversations prepared by FDA employees, and records prepared by FDA as a follow-up to consumer complaints, oral and written. Administrative Services Branch files include copies of correspondence received from the public, and the FDA reply. The Office of Legislative Affairs maintains duplicates of letters FDA sends to members of Congress and summaries of oral inquiries in files organized by members' names. The Office of Legislative Affairs maintains a manual control system and the Executive Secretariat, Office of the Commissioner, maintains an automated control system of pending correspondence requiring a reply.

Authority for maintenance of the system:

Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.); the Public Health Service Act (42 U.S.C. 201 et seq.), and authority delegated to the Commissioner (21 CFR 5.1).

Purpose(s):

To aid FDA employees in carrying out their responsibilities, e.g., responding to follow-up correspondence on complaints, requests for information, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records that indicate violation or potential violation of law may be: (1) Referred for investigation and possible enforcement action under the applicable Federal, State, or foreign laws to the Department of Justice; an appropriate State food and drug enforcement health agency or licensing authority; or the government of a foreign country; or (2) disclosed in administrative or court proceedings in determining whether a record is relevant to an agency decision concerning documents of investigatory materials.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual records are maintained in letter-size folders. Automated records are maintained on computer tapes and discs and stored in a locked safe.

Retrievability:

Records are arranged by company or by subject. A computer index gives correspondent's name, date of letter, subject, and location. Field offices file consumer complaints by complaint number.

Safeguards:

1. Authorized users: FDA employees who display an FDA identification card; GAO employees upon approval of GAO Liaison Officer, Operations Coordination Staff, OMO, employees of DHHS agencies other than FDA whose duties require the use of information in the system.

2. Physical safeguards: Records are stored in locked cabinets in secured areas, locked buildings and locked rooms. Computer tapes and discs are stored in a locked safe.

3. Procedural (or technical) safeguards: Computer software providing restricted commands. Employees of DHHS agencies other than FDA must display government identification card, complete agreement between FDA and the agency concerned, and sign a commitment to protect privileged information.

4. Implementation Guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule and disposal standard for these records may be obtained by writing to the system manager at the appropriate address below.

System manager(s) and address:

Chief, Administrative Services Branch (HFA-210), 5600 Fishers Lane, Rockville, MD 20857

Office of Legislative Affairs (HFW-1), 5600 Fishers Lane, Rockville, MD 20857

Administrative Branch at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/OMO/DMS.

Notification procedure:

An individual may learn if a record exists about him or her upon written request with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably specify the record, information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained or others (generally members of Congress) who write to FDA about them.

Systems exempted from certain provisions of the act:

None.

09-10-0005

System name:

State Food and Drug Official File. HHS/FDA/ORA.

Security classification:

None.

System location:

Division of Federal-State Relations (HFC-151), 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

State Officials who have responsibilities related to those of the Food and Drug Administration.

Categories of records in the system:

Contains name, date of birth, education and professional experience, and state in which employed.

Authority for maintenance of the system:

Section 702(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372(a)).

Purpose(s):

To provide FDA with the names of State officials who have responsibilities related to those of the Food and Drug Administration.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice,

the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in letter-size manila folders.

Retrievability:

Indexed by name and state.

Safeguards:

1. Authorized users: Personnel of the Division of Federal State Relations who are engaged in contracts or any other activity involving commissioning.
2. Physical safeguards: Records are kept in locked cabinets in a secured area, locked rooms and locked building.
3. Procedural safeguards: Users of personal information in the performance of their duties have been instructed to protect personal information from public view and from unauthorized personnel. Access is strictly limited to those staff members trained in accordance with the Privacy Act.
4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Records are retained as long as individual is a state employee.

System manager(s) and address:

Director, Division of Federal-State Relations (HFC-151), 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requests should also reasonably specify the records content being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained.

Systems exempted from certain provisions of the act:

None.

09-10-0007

System name:

Science Advisor Research Associate Program (SARAP). HHS/FDA/ORA.

Security classification:

None.

System location:

Division of Field Science (HFC-140), Office of Regional Operations, 5600 Fishers Lane, Rockville, MD 20857.

For the location of Federal Archives and Records Centers, see Appendix B to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Categories of individuals covered by the system:

FDA field personnel who have applied to participate in full-time research effort under the program.

Categories of records in the system:

Contains name, curriculum vitae, description of research proposal, budget, and statement of career goals.

Authority for maintenance of the system:

Section 702(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372(a); Sections 301 of the Public Health Service (42 U.S.C. 241) and 311 of the PHS Act (42 U.S.C. 243).

Purpose(s):

To monitor the progress of research objectives of approved individual SARAP research projects.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or
(b) Any HHS employee in his or her official capacity; or
(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or
(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in letter-size manila folders.

Retrievability:

Indexed by name.

Safeguards:

1. Authorized users: Personnel of the Division of Field Science.
2. Physical safeguards: Records are kept in locked cabinets in a secured area, locked rooms, and locked building.
3. Procedural safeguards: Users of personal information in the performance of their duties have been instructed to protect such information from public view and from unauthorized personnel. Access is strictly limited to those staff members trained in accordance with the Privacy Act.
4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule and disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Division of Field Science (HFC-140), Office of Regional Operations, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained.

Systems exempted from certain provisions of the act:

None.

09-10-0008

System name:

Radiation Protection Program Personnel Monitoring System. HHS/FDA/CDRH.

Security classification:

None.

System location:

Office of Health Physics (HFZ-60), Center for Devices and Radiological Health, 5600 Fishers Lane, Rockville, MD 20857
Radiation Detection Company, 162 Wolfe Road, P.O. Box 1414, Sunnyvale, CA 94088

Categories of individuals covered by the system:

U.S. Public Health Service and other personnel in clinics, laboratories, hospitals, research facilities, etc., who work with ionizing radiation sources and are required to be monitored by Nuclear Regulatory Commission or Occupational Safety and Health Administration regulations.

Categories of records in the system:

Contains name, date of birth, social security account number, job code, period of exposure, effective date, and radiation exposure value.

Authority for maintenance of the system:

Atomic Energy Act of 1954 (68 Stat. 919 et seq.). Nuclear Regulatory Commission Regulations, 10 CFR Part 20; Occupational Safety and Health Act of 1970 (84 Stat. 1590 et seq.). Occupational Safety and Health Administration Regulations, 29 CFR 1910.96.

Purpose(s):

To monitor incremental and accumulated exposure to ionizing radiation for radiation protection purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Results are disclosed to employers, i.e., clinics, laboratories, etc., after the end of each monitoring period.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to HHS contractors and their staff in order to accomplish the purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Safeguards:

1. Authorized users: Authorized CDRH and contractor personnel who must have access to information in the system in the performance of their duties.

2. Physical safeguards: Hard copies are filed in secured files, locked building with controlling security personnel stationed at key access points to the record area.

3. Procedural (or technical) safeguards: Computer software is password protected and access is restricted by Resource Access Control Facility (RACF). Contractor is required to maintain confidentiality safeguards with respect to these records.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on magnetic disc computer data bank, with back-up stored securely off-site. Hard copies are maintained in letter-size folders.

Retrievability:

Indexed by name, social security account number, and facility.

Retention and disposal:

Indefinite retention on magnetic disc.

System manager(s) and address:

Personnel Monitoring Program, Office of Health Physics (HFZ-60), Center for Devices and Radiological Health, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn of his or her record upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely or irrelevant.

Record source categories:

Individual on whom the record is maintained.

Systems exempted from certain provisions of the act:

None.

09-10-0009

System name:

Special Studies and Surveys on FDA Regulated Products. HHS/FDA/OMO.

Security classification:

None.

System location:

Negotiated Contracts Branch (HFA-510), Office of Management and Operations, 5600 Fishers Lane, Rockville, MD 20857.

A current list of contact sites is available by writing to the system manager at the address below.

Categories of individuals covered by the system:

Individuals, specialty groups, and households participating voluntarily in studies and surveys conducted or sponsored by FDA.

Categories of records in the system:

Data collected vary with each study/survey. Normal standard information for individuals or household members varies but could include name, age, sex, marital status, address or locale of residence, etc. Nondemographic items relate to experience with, or opinions about, a particular product. Patient medical records may be included in some cases involving specific health problems.

Authority for maintenance of the system:

Section 701(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

Purpose(s):

Used to provide data on individuals, specialty groups, e.g., physicians and households participating voluntarily in studies and surveys conducted or sponsored by FDA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the records of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to HHS contractors and their staff in order to accomplish the purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Questionnaires and data are filed in standard filing equipment. Some statistical data are stored on magnetic tape.

Retrievability:

Accessed by ID number assigned by FDA or contractor during collection process. Individual files are maintained in agency and/or contractor's custody until all collection procedures are completed.

Safeguards:

1. Authorized users: Authorized program personnel.

2. Physical safeguards: Questionnaires and data are maintained in locked containers in secured area. Magnetic tapes are maintained in secured computer facilities. Locked buildings, locked rooms, locked file cabinets and locked tape vaults.

3. Procedural (or technical) safeguards: Access limited by computer password which is changed periodically. Confidentiality safeguards with respect to these records are required to be maintained.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf: 45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Questionnaires and data are retained until all statistical problems are resolved; then destroyed. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible.

System manager(s) and address:

Chief, Negotiated Contracts Branch (HFA-510), 5600 Fishers Lane, Rockville, MD 20857
Office of Epidemiology and Biostatistics (HFN-700), 5600 Fishers Lane, Rockville, MD 20857

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the records and inform the subject individual of its contents at the representative's discretion. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under Notification Procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained or patient's medical records, depending on the type of survey or study.

Systems exempted from certain provisions of the act:

None.

09-10-0010

System name:

Bioresearch Monitoring Information System, HHS/FDA.

Security classification:

None.

System location:

Center for Drug Evaluation and Evaluation, Office of Compliance, Division of Scientific Investigations (HFD-340), 7520 Standish Place, Rockville, MD 20855.
Center for Biologics Evaluation and Research, Office of Compliance, Bioresearch Monitoring Staff (HFB-130), 8800 Rockville Pike, Rockville, MD 20892.
Center for Devices and Radiological Health, Office of Compliance and Survelliance, Bioresearch Monitoring Staff (HFZ-341), 1390 Piccard Drive, Rockville, MD 20850.

Categories of individuals covered by the system:

Clinical investigators who are conducting, or have conducted, clinical studies of new drugs and devices under investigational new drug and investigational device exemption requests.

Categories of records in the system:

Automated file is maintained on all clinical investigators; contains name, education, professional qualifications and background, Program Oriented Data Systems (PODS) locator code, and information on studies conducted. Manual file contains, in addition to that same information, investigatory material collected by, or developed by, FDA, during investigations of possible violations of statutes and regulations governing new drug and/or device studies.

Authority for maintenance of the system:

Section 505(i)(3), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)(3); 21 CFR Part 312 (New drugs for investigational use). Section 505(i)(3), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(j); 21 CFR Part 812 (New devices for investigational use); 21 CFR Part 813 (Intraocular lenses for investigational use).

Purpose(s):

To provide controls to assure that investigators meet requirements of statute or regulations governing new drug and device studies. To serve as a data base for the effective performance of activities necessary for the conduct of the bioresearch monitoring program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records that indicate violation or potential violation of law may be: (1) Referred for investigation and possible enforcement action under the Federal, State, or foreign laws to the Department of Justice, Office of the Inspector General, an appropriate State food and drug enforcement agency or licensing authority, or the government of a foreign country where studies are being or have been conducted; (2) disclosed in administrative or court proceedings in determining whether a record is relevant to an agency decision concerning investigatory materials; (3) disclosed to an HHS funding office providing financial support to a bioresearch study.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when:

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual files compiled of investigations of possible violations of statutes and regulations are maintained in letter-size manila folders and on microfilm. Automated files are maintained on magnetic disk or tape.

Retrievability:

Indexed by name or code number.

Safeguards:

1. Authorized users: Staff of the Division of Scientific Investigations, Division of Drug Information Resources, Management and Data Systems Branch, Division of Biological Investigational New Drugs, inspectors in the Office of Biologics, Personnel of the Office of Device Evaluation, Personnel of the Bioresearch Monitoring Staff, Personnel of the Office of Compliance and District Consumer Safety Officers who gather data during inspections and investigations.
2. Physical safeguards: Files are stored in secured areas, locked buildings, locked rooms, locked tape vaults and lockable data media cabinets.
3. Procedural (or technical) safeguards: Limited access and computer password which is changed periodically.
4. Implementation guidelines: Safeguards are established in accordance with General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records output from the system for reference printout or computer output microfilm are retained for one update cycle, or quarterly. Disposal of records is accomplished through a disintegrator or shredder.

System manager(s) and address:

Deputy Director, Division of Scientific Investigation (HFD-341), Centerfor Drug Evaluation and Research, Office of Compliance, 7520 Standish Place, Rockville, MD 20855

Director, Division of Regulations and Bioresearch Monitoring (HFB-130), Center for Biologics Evaluation anbd Research, Office of Compliance, 8800 Rockville Pike, Bethesda, MD 20205

Director, Bioresearch Monitoring Staff (HFZ-341), Center for Devices and Radiological Health, Division of Compliance Operations, 1390 Piccard Drive, Rockville, MD 20850.

Notification procedure:

An individual may learn if a record exists about him or her upon written request with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. Access to record systems which have been granted an exemption from the Privacy Act requirements may be made at the discretion of the system manager. If access is denied to requested records, an appeal may be made to:

Commissioner, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

If access has been granted, contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained. Some material is obtained from third parties, e.g., drug companies, publications, or is developed by FDA.

Systems exempted from certain provisions of the act:

This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d) (1) to (4), (e)(3), (e)(4) (G) to (H) and (f) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, where access would be likely to prejudice the conduct of the investigation.

09-10-0011

System name:

Certified Retort Operators. HHS/FDA/CFSAN.

Security classification:

None.

System location:

Division of Food Chemistry and Technology (HFF-210), Center for Food Safety and Applied Nutrition, 200 C Street, SW, Washington, DC 20204.

For the location of Federal Archives and Records Centers, see Appendix B to system notice 09-10-0002, Regulated Industry Employee Enforcement Records, HHS/FDA/OMO/DMS.

Categories of individuals covered by the system:

Food industry employees who have attended courses of instruction relating to operation of retorts.

Categories of records in the system:

Contains name and training records.

Authority for maintenance of the system:

Section 404 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 344).

Purpose(s):

To ascertain that programs exist in regulated establishments relating to food industry employees instructed in operating retorts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system showing a low-acid canned food establishment not having supervised canning retort operations may be: (1) Referred for investigation and possible enforcement action against the company and responsible officials, to the Department of Justice, or appropriate State food and drug law enforcement agencies, or (2) disclosed in administrative or court proceedings in determining whether a record is relevant to an agency decision concerning documents of investigatory materials.

Most records in the system may be disclosed to a food company who may be advised as to whether an individual has satisfied FDA requirements.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in standard filing equipment.

Retrievability:

Indexed by name.

Safeguards:

1. Authorized users: Limited access to professional staff and secretary of the Regulatory Food Chemistry Branch.
2. Physical safeguards: Records are stored in locked containers in locked rooms and building.
3. Procedural safeguards: Users of personal information in connection with the performance of their jobs have been instructed to protect such information from public view and from unauthorized personnel. Access to records is strictly limited to those staff members trained in accordance with the Privacy Act.
4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule and disposal standard for these records may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Division of Food Chemistry and Technology (HFF-210), 200 C Street, SW, Washington, DC 20204.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under the notification procedure and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Educational institutions that conduct retort operator training.

Systems exempted from certain provisions of the act:

None.

09-10-0013

System name:

Employee Conduct Investigative Records. HHS/FDA/OMO.

Security classification:

None.

System location:

Division of Ethics and Program Integrity (HFA-20), Office of Management and Operations, 5600 Fishers Lane, Rockville, MD 20857.

Categories of individuals covered by the system:

Employees or former employees, or special Government employees of FDA who are alleged to have violated FDA or Departmental regulations and/or Federal statutes.

Categories of records in the system:

This system includes records relating to correspondence concerning an individual's employment status or conduct while employed by FDA. Examples of these records include: Correspondence from employees, members of Congress and members of the public alleging misconduct by an official of FDA. It also contains reports of investigations to resolve allegations of misconduct or violations of statutes, with related exhibits of statements, affidavits or records obtained during the investigation; reports of action taken by management; decisions on any misconduct substantiated by the investigation; and reports of legal action resulting from violations of statutes referred for prosecution.

Authority for maintenance of the system:

5 U.S.C. 301; Title 18, U.S.C. (e.g., 18 U.S.C. 201, 203, 207, 208, 209, 1905); 21 U.S.C. 331; 28 U.S.C. 535(b); 44 U.S.C. 3101; E.O. 10450 and
222; 45 CFR Part 73.

Purpose(s):

To provide management with information needed to take actions against complaints or alleged violations. These complaints may be referred to the Office of Inspector General, Office of the Secretary, HHS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records that indicate violation or potential violation of law regulation and/or policy may be: (1) Referred for investigation and possible enforcement action under the applicable Federal, state, or foreign laws to the Department of Justice; an appropriate state food and drug enforcement health agency or licensing authority; or the government of a foreign country; or (2) disclosed in administrative or court proceedings in determining whether a record is relevant to an agency decision concerning documents of investigatory materials.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, in folders, in file cabinets.

Retrievability:

Alphabetically by name.

Safeguards:

1. Authorized users: Limited access to Division of Ethics and Program Integrity Staff and authorized support staff of the Office of Management and Operations.
2. Physical safeguards: Records are maintained in locked rooms within a locked secured area protected by a 24-hour building guard service.
3. Procedural safeguards: Users of personal information in connection with the performance of their jobs have been instructed to protect such information from public view and from unauthorized personnel. Access is strictly limited to those employees trained in accordance with the Privacy Act.
4. Implementation guidelines: Safeguards are established in accordance with Chapters 45-13 and PHS hf:45-13 of the Department's General Administration Manual.

Retention and disposal:

Records are retained until 5 years after termination of employment of subject individual or when no longer needed for reference. Disposal of records is accomplished by shredding, burning, or other appropriate means so as to render them illegible.

System manager(s) and address:

Director, Division of Ethics and Program Integrity (HFA-20), Office of Management and Operations, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the system manager. If access is denied to requested records an appeal may be made to:

Commissioner, Food and Drug Administration, 5600 Fishers
Lane, Rockville, MD 20857

You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

If access has been granted, contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Information in this system of records is obtained from FDA personnel and FDA records, subjects of investigations, complaints, witnesses, other Federal agencies, State and local agencies, and personal observations by the investigator.

Systems exempted from certain provisions of the act:

This system is exempt from access and contest and certain other provisions of the Privacy Act, (5 U.S.C. 552a(c)(3), (d) (1) to (4) (e)(3), (e)(4) (G) to (H), and (f)), to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcements.

09-10-0015

System name:

Blood Donors for Tissue Typing Sera and Cell Analysis and Related Research. HHS/FDA/CBER.

Security classification:

None.

System location:

Center for Biologics Evaluation and Research, Division of Blood and Blood Products (HFB-400), 8800 Rockville Pike, Bethesda, Maryland 20892.

Categories of individuals covered by the system:

Volunteer blood donors and patients of the National Naval Medical Center and the National Institutes of Health Clinical Center who volunteer to be part of the system.

Categories of records in the system:

Records contain name, address, phone number, sex, religion, race, age, disease (if any), number of pregnancies, number of children, and the results of blood typing.

Authority for maintenance of the system:

Public Health Service Act, Section 351, 42 U.S.C. 262.

Purpose(s):

To provide data to be used in evaluating histocompatability testing sera submitted by manufacturers for approval and release on the market.

On occasion, employees and patients of the National Institutes of Health Clinical Center and the National Naval Medical Center allow the laboratory to perform tissue typing. In these instances, it is necessary to provide the physician involved with precise data to properly identify the patient.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components, is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice, the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Standard filing equipment, and on magnetic tapes, and disks.

Retrievability:

Usually by an assigned 'cell number.' Also, alphabetically, by name.

Safeguards:

1. Authorized users: Staff of the Division of Blood and Blood Products who require access to these records in the performance of their duties.

2. Physical safeguards: Locked filing equipment, locked rooms and buildings.

3. Procedural (or technical) safeguards: Computer password which is changed periodically.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control and disposal standard for these records may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Division of Blood and Blood Products (HFN-830), Center for Biologics Evaluation and Research, 8800 Rockville Pike, Bethesda, MD 20205.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Volunteer blood donors and patients of the National Naval Medical Center and the National Institutes of Health Clinical Center.

Systems exempted from certain provisions of the act:

None.

09-10-0017

System name:

Epidemiological Research Studies of the Center for Devices and Radiological Health. HHS/FDA/CDRH.

Security classification:

None.

System location:

Epidemiology Branch (HFZ-116), Division of Biometric Sciences, Center for Devices and Radiological Health, 12200 Wilkins Avenue, Rockville, MD 20857.

Categories of individuals covered by the system:

Persons who have been exposed to radiation (ionizing, nonionizing, sonic) from either medical, occupational or environmental sources; patients with cancer, birth defects, or other diseases or conditions which result from radiation exposure; unexposed persons (e.g., family members) for the purpose of making comparisons.

Categories of records in the system:

ID number, Social Security number which is supplied on a voluntary basis, name, demographic characteristics, radiation exposure, occupational and personal health histories, medical data, and information on or from death certificates, if deceased.

Authority for maintenance of the system:

Public Health Service Act, Sections 301, 310, 354, 356, and 357, 42 U.S.C. 241, 242A, 263b, 263c, and 263d. Federal Food, Drug, and Cosmetic Act, Section 702(a), 21 U.S.C. 372(a). Reorganization Plan No. 3 of 1970, Section 2.

Purpose(s):

To maintain records used by epidemiologists, statisticians, and authorized staff for epidemiological research and analyses on the effect of radiation exposure.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record may be disclosed for a research purpose, when the Department: (a) Has determined that the use or disclosure does not violate legal or policy limitations under which the record was provided, collected, or obtained; (b) has determined that the research purpose (1) cannot be reasonably accomplished unless the record is provided in individually identifiable form, and (2) warrants the risk to the privacy of the individual that additional exposure of the record might bring; (c) has required the recipient to— (1) establish reasonable administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record, and (2) remove or destroy the information that identifies the individual at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the research project, unless the recipient has presented adequate justification of a research or health nature for retaining such information, and (3) make no further use or disclosure of the record except— (A) in emergency circumstances affecting the health or safety of any individual, (B) for use in another research project, under these same conditions, and with written authorization of the Department, (C) for disclosure to a properly identified person for the purpose of an audit related to the research project, if information that would enable research subjects to be identified is removed or destroyed at the earliest opportunity consistent with the purpose of the audit, or (D) when required by law; (d) has secured a written statement attesting to the recipient's understanding of, and willingness to abide these provisions.

Records in the system may be made available to Federal, state, and local agencies having an interest in protecting the public from the effects of radiation.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosure may be made to the Department of Justice to enable that Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on punch cards and on magnetic tape and discs, computer printouts and on microfiche.

Retrievability:

Records are retrieved by name and study number.

Safeguards:

1. Authorized users: Designated employees of the Center for Devices and Radiological Health.

2. Physical safeguards: Data collection instruments are stored in locked file cabinets, locked rooms, and locked buildings.

3. Procedural (or technical) safeguards: Name listings and log books containing information to permit the identification of an individual and microfilmed records are kept in locked files. Computer password is changed periodically.

4 Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

One year to permanently, depending on the length of follow-up required to complete all phases of the study. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible. Computer tapes and discs are erased.

System manager(s) and address:

Chief, Epidemiology Branch (HFZ-116), Division of Biometric Sciences, Center for Devices and Radiological Health, 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of, or access to, a medical record shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individuals in the system of records, employers, health care providers and facilities, administrative and vital statistics agencies.

Systems exempted from certain provisions of the act:

None.

09-10-0018

System name:

Employee Identification Card Information Record. HHS/FDA/OMO/DMS.

Security classification:

None.

System location:

Personal Property Management Section, Services Unit (HFA-227), 5600 Fishers Lane, Rockville, MD 20857
Metropolitan Office Services Section (HFA-230), 200 C Street, SW, Washington, DC 20204

Administrative Branch at Field/District Offices. For the location of Field/District Offices, see Appendix A to system notice 09-10-0002, Regulated Industry Employee Enforcement Records. HHS/FDA/OMO/DMS.

Categories of individuals covered by the system:

Approximately 8,000 FDA employees.

Categories of records in the system:

Contains name, mail routing code, office telephone number, building, room number, birthdate, identification photograph, height, color of eyes, and type of appointment.

Authority for maintenance of the system:

40 U.S.C. 471, et seq; Management and Disposal of Government Property Act.

Purpose(s):

The system is designed to maintain a record of all holders of FDA identification cards, Forms FD 1887 and 1887h, for renewal and recovery purposes and to identify numbers of lost or stolen cards. The system may also be used at FDA Headquarters to locate employees whose names have not been entered in the FDA locator system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

The Department of Health and Human Services (HHS) may disclose information from this system of records to the Department of Justice, or to a court or other tribunal, when

(a) HHS, or any component thereof; or

(b) Any HHS employee in his or her official capacity; or

(c) Any HHS employee in his or her individual capacity where the Department of Justice (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where HHS determines that the litigation is likely to affect HHS or any of its components,

is a party to litigation or has an interest in such litigation, and HHS determines that the use of such records by the Department of Justice the court or other tribunal, is relevant and necessary to the litigation and would help in the effective representation of the governmental party, provided, however, that in each case, HHS determines that such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms filed in folders in a locked filing cabinet. Computer tapes and discs stored in a locked safe.

Retrievability:

Information is filed and retrieved by name and date of birth.

Safeguards:

1. Authorized users: Authorized FDA personnel whose official duties require access for issuance, renewal, retrieval, and location purposes.

2. Physical safeguards: All Forms FDA 2923 are kept in locked file cabinets and the minicomputers at Headquarters are maintained in secured areas. Computer discs and tapes are stored in locked safe.

3. Procedural (or technical) safeguards: Computer software providing restricted commands.

4. Implementation guidelines: Safeguards are established in accordance with Chapter 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

Retention and disposal:

Records are maintained as long as the ID cards are valid. Computer tapes are erased immediately upon termination of employment and inactive forms are destroyed after 6 months by shredding.

System manager(s) and address:

Chief, Administrative Services Branch (HFA-210), 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with identification if request is made in person, directed to:

FDA Privacy Act Coordinator (HFI-30), Food and Drug
Administration, 5600 Fishers Lane, Rockville, MD 20857

Record access procedures:

Same as notification procedure. Requesters should also reasonably specify the record contents being sought, and provide any other names officially used during period of employment. You may also request an accounting of disclosures that have been made of your record, if any.

Contesting record procedures:

Contact the official at the address specified under notification procedure above and reasonably identify the record, specify the information being contested, the corrective action sought, and your reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories:

Individual on whom the record is maintained.

Systems exempted from certain provisions of the act:

None.

Title 21-Food and Drugs

Chapter I-Food and Drug Administration, Department of Health and Human Services

PART 21—PROTECTION OF PRIVACY

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Authority:Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)); 5 USC 552a; 21 CFR 5.10.

Source: 42 FR 15626, Mar. 22, 1977, unless otherwise noted.

Subpart A—General Provisions

§ 21.1 Scope.

(a) This part establishes procedures to implement the Privacy Act of 1974 (5 U.S.C. 552a). It applies to records about individuals that are maintained, collected, used, or disclosed by the Food and Drug Administration and contained in Privacy Act Record Systems.

(b) This part does not:

(1) Apply to Food and Drug Administration record systems that are not Privacy Act Record Systems or make available to an individual records that may include references to him but that are not retrieved by his name or other personal identifier, whether or not contained in a Privacy Act Record System. Part 20 of this chapter (the public information regulations) and other regulations referred to therein determine when records are made available in such cases.

(2) Make any records available to persons other than (i) individuals who are the subjects of the records, (ii) persons accompanying such individuals under § 21.43, (iii) persons provided records pursuant to individual consent under § 21.72, or (iv) persons acting on behalf of such individuals as legal guardians under § 21.75. Part 20 of this chapter (the public information regulations) and other regulations referred to therein determine when Food and Drug Administration records are disclosable to members of the public generally. Subpart G of this part limits the provisions of Part 20 of this chapter with respect to disclosures of records about individuals from Privacy Act Record Systems to persons other than individuals who are the subjects of the records.

(3) Make available information compiled by the Food and Drug Administration in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such information to any member of the public, including any subject individual or party to such litigation or proceeding shall be governed by applicable constitutional principles, rules of discovery, and Part 20 of this chapter (the public information regulations).

(4) Apply to personnel records maintained by the Division of Personnel Management, Food and Drug Administration, except as provided in § 21.32. Such records are subject to regulations of the Office of Personnel Management in 5 CFR Parts 293, 294, and 297.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8457, Jan. 27, 1981]

§ 21.3 Definitions.

As used in this part:

(a) "Individual" means a natural living person who is a citizen of the United States or an alien lawfully admitted for permanent residence. Individual does not include sole proprietorships, partnerships, or corporations engaged in the production or distribution of products regulated by the Food and Drug Administration or with which the Food and Drug Administration has business dealings. Any such business enterprise that is identified by the name of one or more individuals is not an individual within the meaning of this part. Employees of regulated business enterprises are considered individuals. Accordingly, physicians and other health professionals who are engaged in business as proprietors of establishments regulated by the Food and Drug Administration are not considered individuals; however, physicians and other health professionals who are engaged in clinical investigations, employed by regulated enterprises, or the subjects of records concerning their own health, e.g., exposure to excessive radiation, are considered individuals. Food and Drug Administration employees, consultants, and advisory committee members, State and local officials, and consumers are considered individuals.

(b) "Records about individuals" means items, collections, or groupings of information about individuals contained in Privacy Act Record Systems, including, but not limited to education, financial transactions, medical history, criminal history, or employment history, that contain names or personal identifiers.

(c) "Privacy Act Record System" means a system of records about individuals under the control of the Food and Drug Administration from which information is retrieved by individual names or other personal identifiers. The term includes such a system of records whether subject to a notice published by the Food and Drug Administration, the Department, or another agency. Where records are retrieved only by personal identifiers other than individual names, a system of records is not a Privacy Act Record System if the Food and Drug Administration cannot, by reference to information under its control, or by reference to records of contractors that are subject to this part under § 21.30, ascertain the identity of individuals who are the subjects of the records.

(d) "Personal identifiers" includes individual names, identifying numbers, symbols, or other identifying designations assigned to individuals. "Personal identifiers" does not include names, numbers, symbols, or other identifying designations that identify products, establishments, or actions.

(e) "Personnel records" means any personal information maintained in a Privacy Act Record System that is needed for personnel management programs or processes such as staffing, employee development, retirement, and grievances and appeals.

(f) "Department" means Department of Health and Human Services.

§ 21.10 Policy concerning records about individuals.

Information about individuals in Food and Drug Administration records shall be collected, maintained, used, and disseminated so as to protect the right to privacy of the individual to the fullest possible extent consistent with laws relating to disclosure of information to the general public, the law enforcement responsibilities of the agency, and administrative and program management needs.

Subpart B—Food and Drug Administration Privacy Act Record Systems

§ 21.20 Procedures for notice of Food and Drug Administration Privacy Act Record Systems.

(a) The Food and Drug Administration shall issue in the **Federal Register** on or before August 30 of each year a notice concerning each Privacy Act Record System as defined in § 21.3(c) that is not covered by a notice published by the Department, the Office of Personnel Management, or another agency.

(b) The notice shall include the following information:

(1) The name and location(s) of the system.

(2) The categories of individuals about whom records are maintained in the system.

(3) The categories of records maintained in the system.

(4) The authority for the system.

(5) Each routine use of the records contained in the system (i.e., use outside the Department of Health and Human Services that is compatible with the purpose for which the records were collected and described in the notice) including the categories of users and the purposes of such use.

(6) The policies and practices of the Food and Drug Administration regarding storage, retrievability (i.e., how the records are indexed and what intra-agency uses are made of the records), access controls, retention, and disposal of the records in that system.

(7) The title and business address of the official who is responsible for the system of records.

(8) The notification procedure, i.e., the address of the FDA Privacy Act Coordinator, whom any individual can contact to seek notification whether the system contains a record about him/her.

(9) The record access and contest procedures, which shall be the same as the notification procedure except that a reference shall be included to any exemption from access and contest.

(10) Where any records in the system are subject to an exemption under § 21.61, a reference to this exemption.

(11) The categories of sources of records in the system.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8457, Jan. 27, 1981]

§ 21.21 Changes in systems and new systems.

(a) The Food and Drug Administration shall notify the designated Department official, the Office of Management and Budget (Information Systems Division), and the Congress of proposals to change or establish Privacy Act Record Systems in accordance with procedures of the Department and the Office of Management and Budget.

(b) The Food and Drug Administration shall issue a notice, in accordance with paragraph (d) of this section and § 21.20(b), of any change in a Privacy Act Record System which:

(1) Increases the number or types of individuals about whom records are maintained;

(2) Expands the type or amount of information about individuals that is maintained;

(3) Increases the number of categories of agencies or other persons who may have access to those records;

(4) Alters the manner in which the records are organized so as to change the nature or scope of those records, such as the combining of two or more existing systems;

(5) Modifies the way in which the system operates or its location(s) in a manner that alters the process by which individuals can exercise their rights under this part, such as the ways in which they seek access or request amendment of a record; or

(6) Changes the equipment configuration on which the system is operated so as to create the potential for greater access, such as adding a telecommunications capability.

(c) The Food and Drug Administration shall issue a notice of its intention to establish new Privacy Act Record Systems in accordance with paragraph (d) of this section and § 21.20(b).

(d) Notices under paragraphs (b) and (c) of this section shall be published in the **Federal Register** for comment at least 30 days prior to implementation of the proposed changes or establishment of new systems. Interested persons shall have the opportunity to submit written data, views, or arguments on such proposed new uses or systems.

Subpart C—Requirements for Specific Categories of Records

§ 21.30 Records of contractors.

(a) Systems of records that are required to be operated, or as a matter of practical necessity must be operated, by contractors to accomplish Food and Drug Administration functions, from which information is retrieved by individual names or other personal identifiers, may be subject to the provisions of this part. If the contract is agreed to on or after September 27, 1975, the criminal penalties set forth in 5 U.S.C. 552a(i) are applicable to such contractor, and any employee of such contractor, for disclosures prohibited in § 21.71 or for maintenance of a system of records without notice as required in § 21.20.

(b) A contract is considered to accomplish a Food and Drug Administration function if the proposal or activity it supports is principally operated on behalf of and is under the direct management of the Food and Drug Administration. Systems of records from which information is retrieved by individual names or other personal identifiers and that are operated under contracts to accomplish Food and Drug Administration functions are deemed to be maintained by the agency and shall be subject to the procedures and requirements of this part.

(c) A contract is not considered to accomplish a Food and Drug Administration function if the program or activity it supports is not principally operated on behalf of, or is not under the direct management of, the Food and Drug Administration. For example, this part does not apply to systems of records:

(1) Operated under contract with the Food and Drug Administration by State or local government agencies, or organizations representing such agencies, when such agencies or organizations are also performing State or local government functions.

(2) Operated by contractors with the Food and Drug Administration by individuals or organizations whose primary function is delivery of health services, such as hospitals, physicians, pharmacists, and other health professionals, and that report information concerning products, e.g., injuries or product defects, to the Food and Drug Administration. Before such contractors submit information to the Food and Drug Administration, the names and other personal identifiers of patients or research subjects in any medical or similar report, test, study, or other research project shall be deleted, unless the contract provides otherwise. If the Food and Drug Administration subsequently needs the names of such individuals, a separate request will be made.

(3) Relating to individuals whom the contractor employs, or with whom the contractor otherwise deals, in the course of providing goods and services to the Food and Drug Administration.

(4) Operated under grants.

(d) The requirements of this part shall apply when a contractor who operates a system of records not subject to this part reports to the Food and Drug Administration information that is a system of records about individuals from which personal information is retrieved by names or other personal identifiers. Where the information would be a new Privacy Act Record System, or a change in an existing Privacy Act Record System of a type described in § 21.21, the Food and Drug Administration shall comply with the requirements of § 21.21.

(e) The Food and Drug Administration will review all contracts before award to determine whether operation of a system from which information is retrieved by individual names or other personal identifiers will be required of the contractor, by the terms of the contract or as a matter of practical necessity. If such operation will be required, the solicitation and contract shall include the following clause, or a clause of similar effect:

> Whenever the contractor or any of his employees is required by this contract to operate a system of records from which information is retrieved by individual names or other personal identifiers in order to accomplish a Food and Drug Administration function, the contractor and every employee is considered to be an employee of the Food and Drug Administration and shall operate such system of records in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), regulations of the Food and Drug Administration in 21 CFR Part 21, and rules of conduct that apply to Food and Drug Administration employees who work with such systems of records. The contractor and his employees are subject to the criminal penalties set forth in 5 U.S.C. 552a(i) for violations of the Privacy Act.

§ 21.31 Records stored by the General Services Administration and archival records.

(a) Food and Drug Administration records that are stored, processed, and serviced by the General Services Administration in accordance with 44 U.S.C. 3103 shall be considered to be maintained by the Food and Drug Administration. The General Services Administration shall not disclose the record except to authorized Food and Drug Administration employees.

(b) Each Food and Drug Administration record pertaining to an identifiable individual that was transferred to the National Archives of the United States as a record determined by the National Archives to have sufficient historical or other value to warrant its continued preservation shall be considered to be maintained by the National Archives and shall not be subject to the provisions of this part.

§ 21.32 Personnel records.

(a) Present and former Food and Drug Administration employees desiring access to personnel records about themselves should consult system notices applicable to the agency's personnel records that are published by the Office of Personnel Management and the Department as well as any notice issued by the Food and Drug Administration.

(b)(1) The procedures of the Office of Personnel Management at 5 CFR Parts 293, 294, and 297 rather than the procedures in § 21.33 and Subparts D through F of this part, govern systems of personnel records about Food and Drug Administration employees that are subject to notice published by the Office of Personnel Management, i.e., systems that:

(i) The Office of Personnel Management maintains.

(ii) Are maintained by the Division of Personnel Management, Food and Drug Administration.

(iii) Are maintained by Department Regional Offices, concerning field employees.

(2) The Office of Personnel Management's procedures may, if necessary, be supplemented in the Food and Drug Administration Staff Manual Guide. Current Food and Drug Administration employees should mail or deliver written requests under the Privacy Act for access to personnel records described in this paragraph to the Office of Personnel Management in accordance with 5 CFR 297.106, the Director, Division of Personnel Management (HFA–400), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, or the personnel officer in the servicing HHS Regional Personnel Office. An employee may consult with or direct his or her request to the FDA Privacy Act Coordinator (HFI–30). Requests for access to personnel records of former employees that are located in Federal Records Centers should be directed to the Office of Personnel Management. Requests under the Privacy Act for amendment of personnel records should be directed to these same officials who are responsibile for access to personnel records under this paragraph.

(3) With respect to records subject to paragraph (b)(1) of this section:

(i) Refusal to grant access to a record, or refusal to amend a record upon request of an employee, shall only be made by the Associate Commissioner for Management and Operations or his or her designate; and

(ii) Appeals of refusals under paragraph (b)(3)(i) of this section may be made to the Office of Personnel Management in accordance with 5 CFR 297.108(g)(3) and 297.113(b).

(c) Any other Privacy Act Record Systems that contain personnel records, or records that otherwise concern agency employees, that are maintained by offices of the Food and Drug Administration rather than the Division of Personnel Management but which are not subject to the Department's notice for personnel records in operating offices are subject to this part, except that refusals under this part to grant access to or amend records about present or former employees shall be made by the Associate Commissioner for Management and Operations rather than the Associate Commissioner for Public Affairs.

(d) The following procedures shall govern requests under the Privacy Act for personnel records that are maintained by the operating offices of the Food and Drug Administration in which employees work:

(1) An employee shall upon request be told whether records about him are maintained. An employee shall be given access to records about himself that are subject to this paragraph in response to an oral or written request and through informal procedures, rather than the

procedures specified in §§ 21.40 through 21.43.

(2) Employee identity may be verified, if necessary, by an FDA ID card rather than in accordance with § 21.44.

(3) Generally no fee shall be charged for records requested under this paragraph. However, in cases where the records requested are voluminous, a fee may be charged in accordance with § 21.45.

(4) Records that are subject to this paragraph shall be available for access to an individual, except to the extent that access is refused by the Associate Commissioner for Management and Operations or his or her designate on the grounds that the record is subject to an exemption under § 21.61 or 5 CFR 297.111.

(5) Requests under the Privacy Act for amendment of records subject to this paragraph should be directed to the Director, Division of Personnel Management (HFA-400). Such requests shall be reviewed in accordance with Subpart E of this part. Refusal to amend a record subject to this paragraph (d)(5) shall only be made by the Associate Commissioner for Management and Operations or his or her designate.

(6) Appeals of refusals under paragraph (d)(4) or (5) of this section may be made to the Commissioner of Food and Drugs, except where the Associate Commissioner for Management and Operations or his or her designate indicates with his or her refusal that the appeal should be made to the Office of Personnel Management.

(7) Disclosures of records subject to this paragraph are subject to Subpart G of this part.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8457, Jan. 27, 1981]

§ 21.33 Medical records.

(a) In general, an individual is entitled to have access to any medical records about himself in Privacy Act Record Systems maintained by the Food and Drug Administration.

(b) The Food and Drug Administration may apply the following special procedures in disclosing medical records to an individual:

(1) The agency may review the records to determine whether disclosure of the record to the individual who is the subject of the records might have an adverse effect on him. If it is determined that disclosure is not likely to have an adverse effect on the individual, the record shall be disclosed to him. If it is determined that disclosure is very likely to have an adverse effect on the individual, he may be requested to designate, in writing, a representative to whom the record shall be disclosed. Such representative may be a physician, other health professional, or other responsible person who would be willing to review the record and discuss it with the individual.

(2) The availability of the record may be subject to any procedures for disclosure to an individual of medical records about himself under Part 20 of this chapter, in addition to or in lieu of the procedures in paragraph (b)(1), that are not inconsistent with § 21.41(f).

Subpart D—Procedures for Notification of and Access to Records in Privacy Act Record Systems

§ 21.40 Procedures for submitting requests for notification and access.

(a) An individual may request that the Food and Drug Administration notify him whether a Privacy Act Record System contains records about him that are retrieved by reference to his name or other personal identifier. An individual may at the same time, or after receiving notification that such a record about him exists, requests that he be given access to the record.

(b) An individual desiring notification or access to records shall mail or deliver a request for records in any Food and Drug Administration Privacy Act Records System to the FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

(c) Requests shall be in writing and shall name the Privacy Act Record System or Systems concerning which the individual requests notification of whether there are records about him that are retrieved by reference to his name or other personal identifier. To help assure a prompt response, an individual should indicate that he is making a "Privacy Act Request" on the envelope and in a prominent manner in the letter.

(d) An individual who merely wishes to be notified whether a Privacy Act Record System contains a record about him ordinarily need not provide any verification of his identity other than his name. The mere fact that the Food and Drug Administration has a record about an individual in any of its Privacy Act Records Systems would not be likely to constitute a clearly unwarranted invasion of personal privacy. Where mere disclosure of the fact that a record about the individual exists would be a clearly unwarranted invasion of personal privacy, further verification of the identity of the individual shall be required.

(e) An individual who requests that he be given access to a copy of records about himself, if any exist, should indicate whether he prefers (1) to have copies of any such records mailed to him in accordance with § 21.43(a)(1), which may involve a fee under § 21.45, including information to verify his identity under § 21.44 or (2) to use the procedures for access in person under § 21.43(a)(2).

(f) A request for notification and access may be submitted under this subpart concerning any Privacy Act Record System that is exempt under § 21.61, as indicated in the notice for the system. An individual seeking access to records under § 21.65(b)(2) to investigatory records compiled for law enforcement purposes other than criminal law enforcement purposes should submit a description of the right, benefit, or privilege that he believes he was denied as the result of the Food and Drug Administration's maintenance of the records. Where the system is exempt under § 21.61, and access to the requested records is not granted under § 21.65, the request shall be handled under the provisions of Part 20 of this chapter (the public information regulations).

(g) The Freedom of Information Staff shall maintain and make available copies of the forms (OF-203 Privacy Act Request forms) to assist individuals in filing requests under §21.40.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8458, Jan. 27, 1981]

§ 21.41 Processing of requests.

(a) An individual or his guardian under § 21.75 shall not be required to show any justification or need to obtain notification under § 21.42 or access to a record under § 21.43.

(b) The Food and Drug Administration will determine whether a request by an individual for records about himself is appropriately treated as a request under this subpart, or under the provision of Part 20 of this chapter (the public information regulations), or both. Where appropriate, the Food and Drug Administration will consult with the individual concerning the appropriate treatment of the request.

(c) The FDA Privacy Act Coordinator (HFI-30) in the Freedom of Information Staff shall be responsibile for the handling of Privacy Act requests received by the Food and Drug Administration. Requests mailed or delivered to any other office shall be promptly redirected to the FDA Privacy Act Coordinator. Where this procedure would unduly delay the agency's response, however, the agency employee who received the request should consult with the FDA Privacy Act Coordinator and obtain advice as to whether the employee can respond to the request directly.

(d) Upon receipt of a request by the FDA Privacy Act Coordinator, a record shall promptly be made that a request has been received and the date.

(e) A letter in accordance with § 21.42 responding to the request for notification shall issue as promptly as possible after receipt of the request by the Food and Drug Administration. Upon determination by the Freedom of Information Staff that a request for access to records is appropriately treated as a request under Part 20 of this chapter rather than Part 21, or under both parts, the time limitations prescribed in § 21.41 shall apply. In any case, access to available records shall be provided as promptly as possible.

(f) Except as provided in § 21.32, an individual's access to records about him/herself that are retrieved by his/her name or other personal identifiers and contained in any Privacy Act Record System may only be denied by the Associate Commissioner for Public Affairs or his or her designate. An individual shall not be denied access to any record that is otherwise available to him/her under this part except on the grounds that it is exempt under § 21.65(a)(2), that it was compiled in reasonable anticipation of court litigation of formal administrative proceedings, or to the extent that it is exempt or prohibited from disclosure because it includes a trade secret or commercial or financial information that is privileged or confidential information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy of another individual.

(g) The FDA Privacy Act Coordinator shall ensure that records are maintained of the number, status, and disposition of requests under this subpart, including the number of requests for records exempt from access under this subpart and other information required for purposes of the annual report to Congress under the Privacy Act. These temporary administrative management records shall not be considered to be Privacy Act Record Systems. All records required to be kept under this paragraph shall only include requesting individuals' names or personal identifiers for so long as any request for notification, access, or amendment is pending. The identity of individuals making request under this subpart shall be regarded as confidential and shall not be disclosed under Part 20 of this chapter (the public information regulations) to any other person or agency except as is necessary for the processing of requests under this subpart.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8458, Jan. 27, 1981]

§ 21.42 Responses to requests.

(a) The FDA shall respond to an individual's request for notification as to whether a Privacy Act Record System contains records about him that are retrieved by his name or other personal identifier by sending a letter under this paragraph.

(1) If there are no records about the individual that are retrieved by his name or other personal identifier in the named Privacy Act Record System, or the requester is not an "individual" under § 21.3(a), the letter shall so state. Where appropriate, the letter shall indicate that the Food and Drug Administration's public information regulations in Part 20 of this chapter prescribe general rules governing the availability of information to members of the public, and that a request may be made in accordance with Part 20 of this chapter for records that are not retrieved by the requester's name or other personal identifier from a Privacy Act Record System.

(2) If there are records about the individual that are retrieved by his name or other personal identifier and the named Privacy Act Record System is not exempt from individual access and contest under § 21.61, or the system is exempt but access is allowed or required under § 21.65, the letter shall inform him that the records exist and shall either:

(i) Enclose a copy of the records under § 21.43(a)(1) or indicate that the records will be sent under separate cover, where there has been adequate verification of the identity of the individual under § 21.44 and the fees under § 21.45 do not exceed $25, or

(ii) Inform the individual of the procedures to obtain access to the records by mail or in person under § 21.43(a)(2), as well as the approximate dates by which the requested records can be provided (if the records are not then available), the locations at which access in person may be had, and the information needed, if any, to verify the identity of the individual under § 21.44.

(3) If the named Privacy Act Record System contains records about the individual that are retrieved by his name or other personal identifier, and the system is exempt from individual access and contest under § 21.61 and access is not allowed or required under § 21.65, the letter should inform him that the records are exempted from access and contest by § 21.61. The letter shall also inform him if the records sought are not available because they were compiled in reasonable anticipation of court litigation or formal administrative proceedings or are otherwise not available under § 21.41(b). Where appropriate, the letter shall also indicate whether the records are available under Part 20 of this chapter (the public information regulations), and it may disclose the records in accordance with Part 20.

(4) If the named Privacy Act Record System contains records about the individual that are retrieved by his name or other personal identifier, but a final determination has not yet been made with respect to disclosure of all of the records covered by the request, e.g., because it is necessary to consult another person or agency having an interest in the confidentiality of the records, the letter shall explain the circumstances and indicate when a final answer will be given.

(b) Except as provided in § 21.32, access to a record may only be denied by the Associate Commissioner for Public Affairs or his or her designate. If access to any record is denied wholly or in substantial part, the letter shall state the right of the individual to appeal to the Commissioner of Food and Drugs.

(c) If a request for a copy of the records will result in a fee of more than $25, the letter shall specify or estimate the fee involved. Where the individual has requested a copy of any records about him and copying the records would result in a fee of over $50, the Food and Drug Administration shall require advance deposit as well as payment of any amount not yet received as a result of any previous request by the individual for a record about himself, under this subpart or Part 20 of this chapter (the public information regulations) before the records are made available. If the fee is less than $50, prepayment shall not be required unless payment has not yet been received for records disclosed as a result of a previous request by the individual for a record about himself under this subpart or Part 20 of this chapter.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8458, Jan. 27, 1981]

§ 21.43 Access to requested records.

(a) Access may be granted to requested records by:

(1) Mailing a copy of the records to the requesting individual, or

(2) Permitting the requesting individual to review the records in person between 9 a.m. and 4 p.m. at the

office of the FDA Privacy Act Coordinator, at the Freedom of Information Staff Public Room at the address shown in § 20.30 of this chapter, or at any Food and Drug Administration field office listed in § 5.115 of this chapter or at another location or time upon which the Food and Drug Administration and the individual agree. Arrangement for such review can be made by consultation between the FDA Privacy Act Coordinator and the individual. An individual seeking to review records in person shall generally be permitted access to the file copy, except that where the records include nondisclosable information, a copy shall be made of that portion of the records, with the nondisclosable information blocked out. Where the individual is not given a copy of the record to retain, no charge shall be made for the cost of copying a record to make it available to an individual who reviews a record in person under this paragraph.

(b) An individual may request that a record be disclosed to or discussed in the presence of another individual, such as an attorney. The individual may be required to furnish a written statement authorizing the disclosure or discussion in such other individual's presence.

(c) The Food and Drug Administration will make every reasonable effort to assure that records made available under this section can be understood by the individual, such as by providing an oral or written explanation of the records.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8458, Jan. 27, 1981]

§ 21.44 Verification of identity.

(a) An individual seeking access to records in a Privacy Act Record System may be required to comply with reasonable requirements to enable the Food and Drug Administration to determine his identity. The identification required shall be suitable considering the nature of the records sought. No identification shall be required to receive access to information that is required to be disclosed to any member of the public under Part 20 of this chapter (the public information regulations).

(b) An individual who appears in person for access to records about himself shall be required to provide at least one document to identify himself, e.g., driver's license, passport, or alien or voter registration card to verify his identity. If an individual does not have any such document or requests access to records about himself without appearing in person under circumstances in which his identity cannot be verified from the request itself, he shall be required to certify in writing that he is the individual he claims to be and that he understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense subject to a $5,000 fine.

(c) In making requests under § 21.75, a parent of a minor child or legal guardian of an incompetent individual may be required to verify his relationship to the minor child or the incompetent individual, in addition to verifying his own identity, by providing a copy of the minor's birth certificate, a court order, or other evidence of guardianship.

(d) Where an individual seeks access to particularly sensitive records, such as medical records, the individual may be required to provide additional information beyond that specified in paragraph (b) or (c) of this section, such as the individual's years of attendance at a particular educational institution, rank attained in the uniformed services, date or place of birth, names of parents, an occupation, or the specific times the individual received medical treatment.

§ 21.45 Fees.

(a) Where applicable, fees for copying records shall be charged in accordance with the schedule set forth in this section. Fees may only be charged where an individual has requested that a copy be made of a record to which he is granted access. No fee may be charged for making a search of a Privacy Act Record System whether the search is manual, mechanical, or electronic. Where a copy of the record must be made to provide access to the record, e.g., computer printout where no screen reading is available, the copy shall be made available to the individual without cost. Where a medical record is made available to a representative designated by the individual under § 21.33, no fee will be charged.

(b) The fee schedule is as follows:

(1) Copying of records susceptible to photocopying—$.10 per page.

(2) Copying of records not susceptible to photocopying, e.g., punch cards or magnetic tapes—at actual cost to the determined on a case-by-case basis.

(3) No charge will be made if the total amount of copying for an individual does not exceed $25.

(c) When a fee is to be assessed, the individual shall be notified prior to the processing of the copies, and be given an opportunity to amend his request. Payment shall be made by check or money order made payable to the "Food and Drug Administration," and shall be sent to the Accounting Operations Branch (HFA-210), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. Advance deposit shall be required where the total amount exceeds $50.

Subpart E—Procedures for Requests for Amendment of Records

§ 21.50 Procedures for submitting requests for amendment of records.

(a) An individual who received access to a record about himself under Subpart D of this part may request that the record be amended if he believes that the record or an item of information is not accurate, relevant to a Food and Drug Administration purpose, timely, or complete.

(b) Amendments under this subpart shall not violate existing statute, regulation, or administrative procedure.

(1) This subpart does not permit alteration of evidence presented in the course of judicial proceedings or Food and Drug Administration adjudicatory or rule making proceedings or collateral attack upon that which has already been the subject of any such proceedings.

(2) If the accuracy, relevancy, timeliness, or completeness of the records may be contested in any other pending or imminent agency proceeding, the Food and Drug Administration may refer the individual to the other proceeding as the appropriate means to obtain relief. If the accuracy, relevance, timeliness, or completeness of a record is, or has been, an issue in another agency proceeding, the request under this section shall be disposed of in accordance with the decision in the other proceeding, absent unusual circumstances.

(c) Requests to amend records shall be submitted, in writing, to the FDA Privacy Act Coordinator in accordance with § 21.40(b). Such requests shall include information sufficient to enable the Food and Drug Administration to locate the record, a brief description of the items of information requested to be amended, and the reasons why the record should be amended together with any appropriate documentation or arguments in support of the requested amendment. An edited copy of the record showing the described amendment may be included. Verification of identity should be provided in accordance with § 21.44.

(d) Written acknowledgement of the receipt of a request to amend a record shall be provided within 10 working days to the individual who requested the amendment. Such acknowledgement may request any additional information needed to verify identity or make a determination. No acknowledgement need be made if the request can be reviewed, processed, and the individual notified of the agency's agreement with the request or refusal within the 10-day period.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8459, Jan. 27, 1981]

§ 21.51 Responses to requests for amendment of records.

(a) The Food and Drug Administration shall take one of the following actions on a request for amendment of records as promptly as possible.

(1) Amend any portion of the record which the agency has determined, based upon a preponderance of the evidence, is not accurate, relevant to a Food and Drug Administration purpose, timely, or complete, and, in accordance with paragraph (d)(3) of this section, inform the individual and previous recipients of the record that has been amended of the amendment.

(2) Inform the individual of its refusal to amend any portion of the record in the manner requested, the reason for the refusal, and the opportunity for administrative appeal to the Commissioner of Food and Drugs. Except as provided in § 21.32, such refusal may only be issued by the Associate Commissioner for Public Affairs or his or her designate.

(3) Where another agency was the source of and has control of the record, refer the request to that agency.

(b) The agency may, for good cause, extend the period for taking action an additional 30 working days if notice is provided to the individual explaining the circumstances of the delay.

(c) The officials charged with reviewing a record to determine how to respond to a request to amend it, shall assess its accuracy, relevance to a Food and Drug Administration purpose, timeliness, or completeness. The determination shall be made in the light of the purpose for which the records or system is used, the agency's need for the record, and the possible adverse consequences to the individual from the record if not amended. Whenever the Food and Drug Administration receives a request for deletion of a record, or portions of a record, it shall consider anew whether the contested information in the record is relevant and necessary to a Food and Drug Administration purpose.

(d) If the Food and Drug Administration agrees with an individual's request, it shall take the following actions:

(1) So inform the individual in writing.

(2) In accordance with statute, regulation, or procedure, amend the record to make it accurate, relevant to a Food and Drug Administration purpose, timely, or complete, making note of the date and fact of the amendment.

(3) If an accounting was made under § 21.71(d) of a disclosure of the record under § 21.71(a), provide a copy of the record as amended, to all previous recipients of the record.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8459, Jan. 27, 1981]

§ 21.52 Administrative appeals of refusals to amend records.

(a) If an individual disagrees with a refusal under § 21.51(a)(2) to amend a record, he may appeal that refusal to the Commissioner of Food and Drugs, Rm. 14–81, 5600 Fishers Lane, Rockville, MD 20857.

(b) If, upon appeal, the Commissioner upholds the refusal to amend the record as requested, he shall inform the individual:

(1) Of his decision and the reasons for it.

(2) Of the individual's right to file with the Food and Drug Administration a concise statement of the individual's reasons for disagreeing with the agency's decision not to amend the record as requested.

(3) That the statement of disagreement will be made available to all persons listed in an accounting as having previously received the record and any person to whom the record is subsequently disclosed together with, in the discretion of the Food and Drug Administration, a brief statement summarizing its reasons for refusing to amend the record. Any individual who includes false information in the statement of disagreement filed with the Food and Drug Administration may be subject to penalties under 18 U.S.C. 1001, the False Reports to the Government Act.

(4) That the individual has a right to seek judicial review of the refusal to amend the record.

(c) If the Commissioner on administrative appeal or a court on judicial review determines that the record should be amended in accordance with the individual's request, the Food and Drug Administration shall proceed in accordance with § 21.51(d).

(d) A final determination on the individual's administrative appeal of the initial refusal to amend the record shall be concluded within 30 working days of the request for such review under paragraph (a) of this section, unless the Commissioner extends such period for good cause and informs the individual in writing of the reasons for the delay and of the approximate date on which a decision of the appeal can be expected.

§ 21.53 Notation and disclosure of disputed records.

When an individual has filed a statement of disagreement under § 21.52(b)(2), the Food and Drug Administration shall:

(a) Mark any portion of the record that is disputed to assure that the record will clearly show that portion is disputed whenever the record is disclosed.

(b) In any subsequent disclosure under § 21.70 or § 21.71(a), provide a copy of the statement of disagreement and, if the Food and Drug Administration deems it appropriate, a concise statement of the agency's reasons for not making the amendment(s) requested. While the individual shall have access to any such statement, it shall not be subject to a request for amendment under § 21.50.

(c) If an accounting was made under § 21.71(d) and (e) of a disclosure of the record under § 21.71(a), provide to all previous recipients of the record a copy of the statement of disagreement and the agency statement, if any.

§ 21.54 Amended or disputed records received from other agencies.

Whenever the Food and Drug Administration is notified that a record that it received from another agency was amended or is the subject of a statement of disagreement, the Food and Drug Administration shall:

(a) Discard the record, or clearly note the amendment or the fact of disagreement in its copy of the record, and

(b) Refer persons who subsequently request the record to the agency that provided it.

(c) If an accounting was made under § 21.71 (d) and (e) of the disclosure of the record under § 21.71(a), inform all previous recipients of the record about the amendment or provide to them the statement of disagreement and the agency statement, if any.

Subpart F—Exemptions

§ 21.60 Policy.

It is the policy of the Food and Drug Administration that record systems should be exempted from the Privacy Act only to the extent essential to the performance of law enforcement functions under the laws that are administered and enforced by the Food and Drug Administration or that govern the agency.

§ 21.61 Exempt systems.

(a) Investigatory records compiled for law enforcement purposes, including criminal law enforcement purposes, in the Food and Drug Administration Privacy Act Record Systems listed in paragraph (b) of this section are exempt from the following provisions of the Privacy Act (5 U.S.C. 552a) and of this part:

(1) Such records are exempt from 5 U.S.C. 552a(c)(3) and § 21.71(e)(4), requiring that an individual be provided with the accounting of disclosures of records about himself from a Privacy Act Record System.

(2) Except where access is required under 5 U.S.C. 552a(k)(2) and § 21.65(a)(2), (such records are exempt from 5 U.S.C. 552a(d)(1) through (4) and (f)) and §§ 21.40 through 21.54, requiring procedures for an individual to be given notification of and access to records about himself in a Privacy Act Record System and to be allowed to challenge the accuracy, relevance, timeliness, and completeness of such records.

(3) Such records are exempt from 5 U.S.C. 552a(e)(4)(G) and (H) and § 21.20(b)(1) requiring inclusion in the notice for the system of information about agency procedures for notification, access, and contest.

(4) Such records are exempt from 5 U.S.C. 552a(e)(3) requiring that individuals asked to supply information be provided a form outlining the authority for the request, the purposes for which the information will be used, the routine uses in the notice for the Privacy Act Record System, and the consequences to the individual of not providing the information, but only with respect to records compiled by the Food and Drug Administration in a criminal law enforcement investigation where the conduct of the investigation would be prejudiced by such procedures.

(b) Records in the following Food and Drug Administration Privacy Act Record Systems that concern individuals who are subject to Food and Drug Administration enforcement action and consist of investigatory records compiled for law enforcement purposes, including criminal law enforcement purposes, are exempt under 5 U.S.C. 552a(j)(2) and (k)(2) from the provisions enumerated in paragraph (a) of this section:

(1) Bio-research Monitoring Information System—HHS/FDA/BD/09–10–0010.

(2) Regulated Industry Employee Enforcement Records—HHS/FDA/ACMO/09–10–0002.

(3) Employee Conduct Investigative Records—HHS/FDA/ACMO/09–10–0013.

(4) Service Contractor Employee Investigative Records—HHS/FDA/ACMO/09–10–0014.

(c) The systems described in paragraph (b)(3) and (4) of this section include investigatory records compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, and access to classified information. These records are exempt from disclosure under 5 U.S.C. 552a(k)(5) to the extent that the disclosure would reveal the identity of a source who furnished information to the Government under a promise of confidentiality, which must be an express promise if the information was furnished after September 27, 1975. Any individual who is refused access to a record that would reveal a confidential source shall be advised in a general way that the record includes information that would reveal a confidential source.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

[42 FR 15626, Mar. 22, 1977, as amended at 46 FR 8459, Jan. 27, 1981]

§ 21.65 Access to records in exempt systems.

(a) Where a Privacy Act Record System is exempt and the requested records are unavailable under § 21.61, an individual may nevertheless make a request under § 21.40 for notification concerning whether any records about him exist and request access to such records where they are retrieved by his name or other personal identifier.

(b) An individual making a request under paragraph (a) of this section:

(1) May be given access to the records where available under Part 20 of this chapter (the public information regulations) or the Commissioner may, in his discretion, entertain a request under any or all of the provisions of §§ 21.40 through 21.54; and

(2) Shall be given access upon request if the records requested are subject to 5 U.S.C. 552a(k)(2) and not to 5 U.S.C. 552a(j)(2) (i.e., because they consist of investigatory material compiled for law enforcement purposes other than criminal law enforcement purposes) and maintenance of the records resulted in denial to the individual of any right, benefit, or privilege to which he would otherwise be entitled by Federal law, or for which he would otherwise be eligible. An individual given access to a record under this paragraph (b)(2) is not entitled to seek amendment under Subpart E of this part. The FDA may refuse to disclose a record that would reveal the identity of a source who furnished information to the Government under a promise of confidentiality, which must be an express promise if the information was furnished on or after September 27, 1975. Any individual refused access to a record that would reveal a confidential source shall be advised in a general way that the record contains information that would reveal a confidential source.

(c) The Commissioner shall not make available any record that is prohibited from public disclosure under § 20.82(b) of this chapter.

(d) Discretionary disclosure of a record pursuant to paragraph (b)(1) of this section shall not set a precedent for discretionary disclosure of a similar or related record and shall not obligate the Commissioner to exercise his discretion to disclose any other record in a system that is exempt under § 21.61.

Subpart G—Disclosure of Records in Privacy Act Record Systems to Persons Other Than the Subject Individual.

§ 21.70 Disclosure and intra-agency use of records in Privacy Act Record Systems; no accounting required.

(a) A record about an individual which is contained in a Privacy Act Record System may be disclosed:

(1) To the individual who is the subject of the record, or his legal guardian under § 21.75;

(2) To a third party pursuant to a written request by, or within a written consent of, the individual to whom the record pertains, or his legal guardian under § 21.75;

(3) To any person:

(i) Where the names and other identifying information are first deleted, and under circumstances in which the recipient is unlikely to know the identity of the subject of the record;

(ii) Where disclosure is required by Part 20 of this chapter (the public information regulations); or

(4) Within the Department of Health and Human Services to officers and employees who have a need for the record in the performance of their duties in connection with the laws administered and enforced by the Food and Drug Administration or that govern the agency. For purposes of this section, officers or employees of the Department shall include the following categories of individuals, who shall thereafter be subject to the same restrictions with respect to disclosure as any Food and Drug Administration employee: Food and Drug Administration consultants and advisory committees, State and local government employees for use only in their work with the Food and Drug Administration, and contractors and their employees to the extent that

the records of such contractors are subject to the requirements of this part under § 21.30.

(b) No accounting is required for any disclosure or use under paragraph (a) of this section.

§ 21.71 Disclosure of records in Privacy Act Record Systems; accounting required.

(a) Except as provided in § 21.70, a record about an individual that is contained in a Privacy Act Record System shall not be disclosed by any method of communication except under any of the following circumstances, which are subject to the limitations of paragraphs (b) and (c) of this section and to the accounting requirement of paragraph (d) of this section:

(1) For a use described as a "routine use" in the notice for the system under § 21.20(b)(5) that is compatible with the purpose for which the record was collected.

(2) To the Bureau of Census for a census, survey, or a related activity pursuant to Title 13 of the United States Code.

(3) To a recipient who has provided advance assurance, pursuant to paragraph (c)(2) of this section that the record will be used solely as a statistical research or reporting record and will not be communicated by the recipient to any other person except in a form that is not individually identifiable.

(4) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation, or to the General Services Administration for evaluation to determine whether the record has such value.

(5) To a Federal, State, or local agency for purposes of a law enforcement activity that is authorized by law, upon written request by the head of the agency specifying the particular portion of the record that is desired and the law enforcement purpose for which the record is sought. Disclosures under this paragraph are in addition to any disclosures for law enforcement purposes described as a "routine use" in a notice for a Privacy Act Record System.

(6) To a person pursuant to a showing of compelling circumstances affecting the health and safety of an individual, not necessarily the individual to whom the record pertains. Upon such disclosure, the Food and Drug Administration shall mail a notification of the fact of disclosure to the last known address of the individual who is the subject of the record.

(7) To either House of Congress, or to any Subcommittee or Committee thereof, to the extent that the subject matter of the record falls within its jurisdiction.

(8) To the General Accounting Office.

(9) Pursuant to an order of the court of competent jurisdiction. Upon such court-ordered disclosure, the Food and Drug Administration shall make reasonable efforts to notify the individual in accordance with § 20.83(b) of this chapter.

(b) The Food and Drug Administration may in its discretion refuse to make a disclosure permitted under paragraph (a) of this section, if the disclosure would in the judgment of the agency, invade the privacy of the individual or be inconsistent with the purpose for which the information was collected.

(c) The Food and Drug Administration may require any person requesting a disclosure of a record under paragraph (a) of this section to provide:

(1) Information about the purposes to which the disclosed record is to be put, and

(2) A written statement certifying that the record will be used only for the stated purposes and will not be further disclosed without the written permission of the Food and Drug Administration.

Under 5 U.S.C. 552a(i)(3), any person who knowingly or willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000. Such person may also be subject to prosecution under the False Reports to the Government Act, 18 U.S.C. 1001.

(d) An accounting shall be made, in accordance with paragraph (e) of this section, of any disclosure under paragraph (a) of this section of a record that is not a disclosure under § 21.70.

(e) Where an accounting is required under paragraph (d) of this section, the Food and Drug Administration shall:

(1) Record the name and address of the person or agency to whom the disclosure is made and the date, nature, and purpose of the disclosure. The accounting shall not be considered a Privacy Act Record System.

(2) Retain the accounting for 5 years or for the life of the record, whichever is longer, following the disclosure.

(3) Notify those recipients listed in the accounting of amendments or disputes concerning the records previously disclosed to them pursuant to §§ 21.51(d)(3), 21.53(c), or 21.54(c).

(4) Except when the record is exempt from individual access and contest under § 21.61 or to the extent that the accounting describes a transfer for a law enforcement purpose pursuant to paragraph (a)(5) of this section, make the accounting available to the individual to whom the record pertains, in accordance with procedures of Subpart D of this part.

(f) A single accounting may be used to cover disclosure(s) that consist of a continuing dialogue between two agencies over a prolonged period, such as discussion of an enforcement action between the Food and Drug Administration and the Department of Justice. In such cases, a general notation may be made that, as of a certain date, contract was initiated, to continue until resolution of the matter.

§ 21.72 Individual consent to disclosure of records to other persons.

(a) Individuals may consent to disclosure of records about themselves to other persons in several ways, for example:

(1) An individual may give consent at the time that the information is collected for disclosure for specific purposes or to specific persons.

(2) An individual may give consent for disclosure of his records to a specific person.

(3) An individual may request the Food and Drug Administration to transcribe a specific record for submission to another person.

(b) In each case the consent shall be in writing and shall specify the individual, organizational unit, or class of individuals or organizational units to whom the record may be disclosed, which record may be disclosed, and, if applicable, for what time period. A blanket consent to release all of an individual's records to unspecified individuals or organizational units will not be honored. Verification of the identity of the individual and, where applicable, of the person to whom the record is to be disclosed shall be made in accordance with § 21.44. Consent documents shall be retained for a period of at least 2 years. If such documents are used as a means of accounting for the disclosure, they shall be retained as provided in § 21.71(e)(2).

§ 21.73 Accuracy, completeness, timeliness, and relevance of records disclosed from Privacy Act Record Systems.

(a) The Food and Drug Administration shall make reasonable efforts to assure that a record about an individual in a Privacy Act Record System is accurate, relevant to a Food and Drug Administration purpose, timely, and complete before such record is disclosed under § 21.71.

(b) Paragraph (a) of this section shall not apply to disclosures that are required under Part 20 of this chapter (the public information regulations) or made to other Federal Government departments and agencies. Where appropriate, the letter disclosing the information shall indicate that the Food and Drug Administration has not reviewed the record to assure that it is accurate, relevant, timely, and complete.

§ 21.74 Providing notice that a record is disputed.

Whenever an individual has filed a statement of disagreement with the Food and Drug Administration concerning a refusal to amend a record under § 21.51(a)(2) or with another agency that provides the record to the Food and Drug Administration, the Food and Drug Administration shall in any subsequent disclosure under this subpart provide a copy of the statement of disagreement and a concise statement by the agency, if one has been prepared, of the reasons for not making the amendment(s) requested.

§ 21.75 Rights of legal guardians.

For the purposes of this part, the parent of any individual who is a minor or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction may act on behalf of the individual.

Title 42-Public Health

Chapter IV-Health Care Financing Administration, Department of Health and Human Services

PART 401—GENERAL ADMINISTRATIVE REQUIREMENTS

Subpart B—Confidentiality and Disclosure

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Subpart B—Confidentiality and Disclosure

Authority: Secs. 205, 1102, 1106 and 1871 of the Social Security Act (42 USC 405. 1302, 130.6, and 1395hh); the Freedom of Information Act (5 USC 552); and the Privacy Act (5 USC 552a).

Source: 46 FR 55696, Nov. 12, 1981, unless otherwise noted.

§ 401.101 Purpose and scope.

(a) The regulations in this subpart (1) Implement section 1106(a) of the Social Security Act as it applies to the Health Care Financing Administration (HCFA). The rules apply to information obtained by officers or employees of HCFA in the course of administering title XVIII of the Social Security Act (Medicare), information obtained by Medicare intermediaries or carriers in the course of carrying out agreements under sections 1816 and 1842 of the Social Security Act, and any other information subject to section 1106(a) of the Social Security Act;

(2) Relate to the availability to the public, under 5 U.S.C. 552, of records of HCFA and its components. They set out what records are available and how they may be obtained; and (3) Supplement the regulations of the Department of Health and Human Services relating to availability of information under 5 U.S.C. 552, codified in 45 CFR Part 5, and do not replace or restrict them.

(b) Except as authorized by the rules in this subpart, no information described in paragraph (a)(1) of this section shall be disclosed. The procedural rules in this subpart (§§ 401.106 through 401.152) shall be applied to requests for information which is subject to the rules for disclosure in this subpart.

(c) Requests for information which may not be disclosed according to the provisions of this subpart shall be denied under authority of section 1106(a) of the Social Security Act and this subpart, and furthermore, such requests which have been made pursuant to the Freedom of Information Act shall be denied under authority of an appropriate Freedom of Information Act exemption, 5 U.S.C. 552(b).

§ 401.102 Definitions.

For purposes of this subpart: "Act" means the Social Security Act.

"Freedom of Information Act rules" means the substantive mandatory disclosure provisions of the Freedom of Information Act, 5 U.S.C. 552 (including the exemptions from mandatory disclosure, 5 U.S.C. 552(b), as implemented by the Department's public information regulation, 45 CFR Part 5, Subpart F and by §§ 401.106 to 401.152 of this subpart.

"Person" means a person as defined in the Administrative Procedure Act, 5 U.S.C. 551(2). This includes State or local agencies, but does not include Federal agencies or State or Federal courts.

"Record" has the same meaning as that provided in 45 CFR 5.5.

"Subject individual" means an individual whose record is maintained by the Department in a system of records, as the terms "individual," "record", and "system of records" are defined in the Privacy Act of 1974, 5 U.S.C. 552a(a).

§ 401.105 Rules for disclosure.

(a) *General rule.* The Freedom of Information Act rules shall be applied to every proposed disclosure of information. If, considering the circumstances of the disclosure, the information would be made available in accordance with the Freedom of Information Act rules, then the information may be disclosed regardless of whether the requester or recipient of the information has a statutory right to request the information under the Freedom of Information Act, 5 U.S.C. 552, or whether a request has been made.

(b) *Application of the general rule.* Pursuant to the general rule in paragraph (a) of this section,

(1) Information shall be disclosed—

(i) To a subject individual when required by the access provision of the Privacy Act, 5 U.S.C. 552a(d), as implemented by the Department Privacy Act regulation, 45 CFR Part 5b; and

(ii) To a person upon request when required by the Freedom of Information Act, 5 U.S.C. 552;

(2) Unless prohibited by any other statute (e.g., the Privacy Act of 1974, 5 U.S.C. 552a(b), the Tax Reform Act of 1976, 26 U.S.C. 6103, or section 1106(d) and (e) of the Social Security Act), information may be disclosed to any requester or recipient of the information, including another Federal agency or a

State or Federal court, when the information would not be exempt from mandatory disclosure under Freedom of Information Act rules or when the information nevertheless would be made available under the Department's public information regulation's criteria for disclosures which are in the public interest and consistent with obligations of confidentiality and administrative necessity, 45 CFR Part 5, Subpart F, as supplemented by §§ 401.106 to 401.152 of this subpart.

[42 FR 14704, Mar. 16, 1977. Redesignated and amended at 45 FR 74913, 74914, Nov. 13, 1980, and further redesignated at 46 FR 24551, May 1, 1981; amended at 46 FR 55697, Nov. 12,1981.]

§ 401.106 Publication.

(a) *Methods of publication.* Materials required to be published under the provisions of The Freedom of Information Act, 5 U.S.C. 552 (a)(1) and (a)(2) are published in one of the following ways:

(1) By publication in the **Federal Register** of HCFA regulations, and by their subsequent inclusion in the Code of Federal Regulations;

(2) By publication in the **Federal Register** of appropriate general notices;

(3) By other forms of publication, when incorporated by reference in the **Federal Register** with the approval of the Director of the Federal Register; and

(4) By publication in the "Health Care Financing Administration Rulings" (HCFA Rulings) of indexes of precedential orders and opinions issued in the adjudication of claims, statements of policy and interpretations which have been adopted but have not been published in the **Federal Register**, and of administrative staff manuals and instructions to staff that affect a member of the public. The HCFA Rulings may be purchased through the Government Printing Office.

(b) *Availability for inspection.* Those materials which are published in the **Federal Register** pursuant to 5 U.S.C. 552(a)(1) shall, to the extent practicable and to further assist the public, be made available for inspection at the places specified in § 401.128.

[46 FR 55697, Nov.12, 1981, as amended at 48 FR 22924, May 23, 1983]

§ 401.108 HCFA Rulings.

(a) After September 1981, a precedent final opinion or order or a statement of policy or interpretation that has not been published in the **Federal Register** as a part of a regulation or of a notice implementing regulations, but which has been adopted by HCFA as having precedent, may be published in the **Federal Register** as a HCFA Ruling and will be made available in the publication entitled *HCFA Rulings*.

(b) Precedent final opinions and orders and statements of policy and interpretation that were adopted by HCFA before October, 1981, and that have not been publishedin the **Federal Register** are available in *HCFA Rulings*.

(c) HCFA Rulings are published under the authority of the Administrator, HCFA. They are bindiung on all HCFA Components, and on the Social Security Administration to the extent that components of the Social Security Administration adjudicate matters under the jurisdiction of HCFA.

[48 FR 22924, May 23, 1983]

§ 401.110 Publications for sale.

The following publications containing information pertaining to the program, organization, functions, and procedures of HCFA may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(a) Titles 20, 42, and 45 of the Code of Federal Regulations.

(b) **Federal Register** issues.

(c) Compilation of the Social Security Laws.

(d) HCFA Rulings.

(e) Social Security Handbook. The information in the Handbook is not of precedent or interpretative force.

(f) Medicare/Medicaid Directory of Medical Facilities.

§ 401.112 Availability of administrative staff manuals.

All HCFA administrative staff manuals and instructions to staff personnel which contain policies, procedures, or interpretations that affect the public are available for inspection and copying. A complete listing of such materials is published in HCFA Rulings. These manuals are generally not printed in a sufficient quantity to permit sale or other general distribution to the public. Selected material is maintained at Social Security Administration district offices and field offices and may be inspected there. See §§ 401.130 and 401.132 for a listing of this material.

§ 401.116 Availability of records upon request.

(a) *General.* In addition to the records made available pursuant to §§ 401.106, 401.108, 401.110 and 401.112, HCFA will, upon request made in accordance with this subpart, make identified records available to any person, unless they are exempt from disclosure under the provisions of section 552(b) of Title 5, United States Code (see § 401.126), or any other provision of law.

(b) *Misappropriation, alteration, or destruction of records.* No person may remove any record made available to him for inspection or copying under this part, from the place where it is made available. In addition, no person may steal, alter, mutilate, obliterate, or destroy in whole or in part, such a record. See sections 641 and 2071 of title 18 of the United States Code.

§ 401.118 Deletion of identifying details.

When HCFA publishes or otherwise makes available an opinion or order, statement of policy, or other record which relates to a private party or parties, the name or names or other identifying details will be deleted.

§ 401.120 Creation of records.

Records will not be created by compiling selected items from the files, and records will not be created to provide the requester with such data as ratios, proportions, percentages, per capitas, frequency distributions, trends, correlations, and comparisons. If such data have been compiled and are available in the form of a record, the record shall be made available as provided in this subpart.

§ 401.126 Information or records that are not available.

(a) *Specific exemptions from disclosure.* Pursuant to paragraph (b) of 5 U.S.C. 552, certain classes of records are exempt from disclosure. For some examples of the kinds of materials which are exempt, see Subpart F of the public information regulation of the Department of Health and Human Services (45 CFR Part 5) and the appendix to that regulation.

(b) *Materials exempt from disclosure by statute.* Pursuant to paragraph (b)(3) of 5 U.S.C. 552, as amended, which exempts from the requirement for disclosure matters that are exempted from disclosure by statute, provided that such statute requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or establishes particular criteria for withholding or refers to particular types of matter to be withheld:

(1) Reports described in sections 1106 (d) and (e) of the Social Security Act shall not be disclosed, except in accordance with the provisions of sections 1106 (d) and (e). Sections 1106 (d) and (e) provide for public inspection of certain official reports dealing with the operation of the health programs established by titles XVIII and XIX of the Social Security Act (Medicare and Medicaid), but require that program validation survey reports and other formal evaluations of providers of services shall not identify individual

patients, individual health care practitioners, or other individuals. Section 1106(e) further requires that none of the reports shall be made public until the contractor or provider whose performance is being evaluated has had a reasonable opportunity to review that report and to offer comments. See § 401.133 (b) and (c);

(2) Disclosure of materials described in section 1865(a)(2) of the Social Security Act as amended, is prohibited. Section 1865(a)(2) provides for release by the Joint Commission on the Accreditation of Hospitals (JCAH) to the Secretary (or a State agency designated by him) on a confidential basis accreditation surveys made by JCAH, if the hospitals authorize such release. Materials which are confidential under this provision include accreditation letters and accompanying Recommendations and Comments prepared by the JCAH concerning hospitals surveyed by it; and

(3) Tax returns and return information defined in section 6103 of the Internal Revenue Code, as amended by the Tax Reform Act of 1976, shall not be disclosed except as authorized by the Internal Revenue Code.

(c) *Effect of exemption.* Neither 5 U.S.C. 552 nor this regulation directs the withholding of any record or information, except to the extent of the prohibitions in paragraph (b) of this section. Except for material required to be withheld under the statutory provisions incorporated in paragraph (b) of this section or under another statute which meets the standards in 5 U.S.C. 552(b)(3), materials exempt from mandatory disclosure will nevertheless be made available when this can be done consistently with obligations of confidentiality and administrative necessity. The disclosure of materials or records under these circumstances in response to a specific request, however, is of no precedent force with respect to any other request.

§ 401.128 Where requests for records may be made.

(a) *General.* Any request for any record may be made to—

(1) Any HCFA component;

(2) Director, Office of Public Affairs, HCFA 313–H, Hubert H. Humphrey Building, 200 Independence Avenue, Washington, D.C. 20201; or

(3) Director of Public Affairs in any Regional Office of the Department of Health and Human Services.

The locations and service areas of these offices are as follows:

Region I—John F. Kennedy Federal Building, Boston, MA 02203. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
Region II—26 Federal Plaza, New York, NY 10007. New York, New Jersey, Puerto Rico, Virgin Islands.
Region III—Gateway Building, 3535 Market Street, Philadelphia, PA 19101. Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia.
Region IV—101 Marietta Street, Altanta, GA 30323. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
Region V—300 South Wacker Drive, Chicago, IL 60606. Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
Region VI—1200 Main Tower Building, Dallas, TX 75202. Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
Region VII—601 East 12th Street, Kansas City, MO 64106. Iowa, Kansas, Missouri, Nebraska.
Region VIII—Federal Office Building, 19th and Stout Streets, Denver, CO 80294. Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
Region IX—Federal Office Building, 50 United Nations Plaza, San Francisco, CA 94102. Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa.
Region X—Arcade Plaza Building, 1321 Second Avenue, Seattle, WA 98101. Alaska, Idaho, Oregon, Washington.

(b) *Records pertaining to individuals.* HCFA maintains some records pertaining to individuals. Disclosure of such records is generally prohibited by section 1106 of the Social Security Act (42 U.S.C. 1306), except as prescribed in § 401.105 (See also § 401.126(b)). Requests for records pertaining to individuals may be addressed to:

Director, Office of Research, Demonstrations and Statistics, HCFA, Baltimore, Maryland 21235, when information is sought from the record of a person who has participated in a research survey conducted by or for HCFA, Office of Research, Demonstrations and Statistics; or whose records have been included by statistical sampling techniques in research and statistical studies authorized by the Social Security Act in the field of health care financing.

(c) *Requests for materials listed in § 401.130 or § 401.132 or indexed in the HCFA Rulings.* A request to inspect and copy materials listed in § 401.130 or § 401.132 or indexed in HCFA Rulings may be made to any district or branch office of the Social Security Administration. If the specific material requested is not available in the office receiving the request, the material will be obtained and made available promptly.

§ 401.130 Materials available at social security district offices and branch offices.

(a) *Materials available for inspection.* The following are available or will be made available for inspection at the social security district offices and branch offices:

(1) Compilation of the Social Security Laws.

(2) The Public Information Regulation of the Department of Health and Human Services (45 CFR Part 5).

(3) Medicare Program regulations issued by the Health Care Financing Administration, 42 CFR Chapter IV

(4) HCFA Rulings.

(5) Social Security Handbook.

(b) *Materials available for inspection and copying.* The following materials are available or will be made available for inspection and copying at the social security district offices and branch offices:

(1) Claims Manual of the Social Security Administration.

(2) Department Staff Manual on Organization, Department of Health and Human Services, Part F, HCFA.

(3) Parts 2 and 3 of the Part A Intermediary Manual (Provider Services under Medicare HCFA Pub. 13–2 and 13–3).

(4) Parts 2 and 3 of the Part B Intermediary Manual (Physician and Supplier Services).

(5) Intermediary Letters Related to Parts 2 and 3 of the Part A and Part B Intermediary Manuals.

(6) State Buy-In Handbook (State Enrollment of Eligible Individuals under the Supplementary Medical Insurance Program) and Letters.

(7) Group Practice Prepayment Plan Manual (HIM–8) and Letters.

(8) State Operations Manual (HIM–7).

(9) HCFA Letters to State Agencies on Medicare.

(10) Skilled Nursing Facility Manual (HCFA Pub. 12).

(11) Hearing Officers Handbook (Supplementary Medical Insurance Program—HIM–21).

(12) Hospital Manual (HIM–10).

(13) Home Health Agency Manual (HIM–11).

(14) Outpatient Physical Therapy Provider Manual (HIM–9).

(15) Provider Reimbursement Manual (HIM–15).

(16) Audit Program Manuals for Hospital (HIM–16), Home Health Agency (HIM–17), and Extended Care Facilities (HIM–18).

(17) Statements of deficiencies based upon survey reports of health care institutions or facilities prepared after January 31, 1973, by a State agency, and such reports (including pertinent written

statements furnished by such institution or facility on such statements of deficiencies), as set forth in § 401.133(a). Such statements of deficiencies, reports, and pertinent written statements shall be available or made available only at the social security district office and regional office servicing the area in which the institution or facility is located, except that such statements of deficiencies and pertinent written statements shall also be available at the local public assistance offices servicing such area.

(18) Indexes to the materials listed in paragraph (a) of this section and in this paragraph (b) and an index to the Bureau of Hearings and Appeals Handbook.

§ 401.132 Materials in field offices of the Office of Hearings and Appeals, SSA.

(a) *Materials available for inspection.* The following materials are available for inspection in the field offices of the Office of Hearings and Appeals, SSA.

(1) Title 45 of the Code of Federal Regulations (including the public information regulation of the Department of Health and Human Services).

(2) Regulations of the Social Security Administration and HCFA.

(3) Title 5, United States Code.

(4) Compilation of the Social Security Laws.

(5) HCFA Rulings.

(6) Social Security Handbook.

(b) *Handbook available for inspection and copying.* The Office of Hearings and Appeals Handbook is available for inspection and copying in the field offices of the Office of Hearings and Appeals.

§ 401.133 Availability of official reports on providers of services, State agencies, intermediaries, and carriers under Medicare.

The following shall be made available to the public under the conditions specified:

(a) *Statements of deficiencies and survey reports on providers of services prepared by State agencies.* (1) Statements of deficiencies based upon official survey reports prepared after January 31, 1973, by a State agency pursuant to its agreement entered into under section 1884 of the Social Security Act and furnished to HCFA, which relate to a State agency's findings on the compliance of a health care institution or facility with the applicable provisions in section 1861 of the Act and with the regulations, promulgated pursuant to those provisions, dealing with health and safety of patients in those institutions and facilities; and (2) State agency survey reports. The statement of deficiencies or report and any pertinent written statements furnished by the institution or facility on the statement of deficiencies shall be disclosed within 90 days following the completion of the survey by the State agency, but not to exceed 30 days following the receipt of the report by HCFA. (See § 401.130(b)(17)) for places where statements of deficiencies, reports, and pertinent written statements will be available.)

(b) *HCFA reports on providers of services.* Upon request in writing, official reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared and completed after January 31, 1973, which relate to the performance of providers of services under Medicare: *Provided,* That no information identifying individual patients, physicians, or other practitioners, or other individuals shall be disclosed under this paragraph. Those reports and other evaluations shall be disclosed within 30 days following the final preparation thereof by HCFA during which time the providers of services shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with those reports and evaluations any pertinent written statements furnished HCFA by those providers on those reports and evaluations.

(c) *Contractor performance review reports.* Upon request in writing, official contractor performance review reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared and completed after January 31, 1973, which relate to the evaluation of the performance of (1) intermediaries and carriers under their agreements entered into pursuant to sections 1816 and 1842 of the Social Security Act and (2) State agencies under their agreements entered into pursuant to section 1864 of the Act (including comparative evaluations of the performance of those intermediaries, carriers, and State agencies). The latest Contract Performance Review Report pertaining to a particular intermediary or carrier, prepared prior to February 1, 1973, may also be disclosed to any person upon request in writing. Those reports and evaluations shall be disclosed within 30 days following their final preparation by HCFA (or 30 days following the request therefor, in the case of the contract performance review report prepared prior to February 1, 1973), during which time those intermediaries, carriers, and State agencies, as the case may be, shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with those reports and evaluations any pertinent written statements furnished HCFA by those intermediaries, carriers, or State agencies or those reports and evaluations.

§ 401.134 Release of Medicare information to State and Federal agencies.

(a) Except as provided in paragraph (b) of this section, the following information may be released to an officer or employee of an agency of the Federal or a State government lawfully charged with the administration of a program receiving grants-in-aid under title V and XIX of the Social Security Act for the purpose of administration of those titles, or to any officer or employee of the Department of Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS):

(1) Information, including the identification number, concerning charges made by physicians, other practitioners, or suppliers, and amounts paid under Medicare for services furnished to beneficiaries by such physicians, other practioners, or suppliers, to enable the agency to determine the proper amount of benefits payable for medical services performed in accordance with those programs; or

(2) Information as to physicians or other practioners that has been disclosed under § 401.105.

(3) Information relating to the qualifications and certification status of hospitals and other health care facilities obtained in the process of determining whether, and certifying as to whether, institutions or agencies meet or continue to meet the conditions of participation of providers of services or whether other entities meet or continue to meet the conditions for coverage of services they furnish.

(b) The release of such information shall not be authorized by a fiscal intermediary or carrier.

(c) The following information may be released to any officer or employee of an agency of the Federal or a State government lawfully charged with the duty of conducting an investigation or prosecution with respect to possible fraud or abuse against a program receiving grants-in-aid under Medicaid, but only for the purpose of conducting such an investigation or prosecution, or to any officer or employee of the Department of the Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), provided that the agency has filed an agreement with HCFA that the information will be released only to the agency's enforcement branch and that the agency will preserve the confidentiality of the information received and will not disclose that information for other than program purposes:

(1) The name and address of any provider of medical services, organization, or other person being actively investigated for possible fraud in connection with Medicare, and the nature of such suspected fraud. An active investigation exists when there is significant evidence supporting an initial complaint but there is need for further investigation.

(2) The name and address of any provider of medical services, organization, or other person found, after consultation with an appropriate professional association or a program review team, to have provided unnecessary services, or of any physician or other individual found to have violated the assignment agreement on at least three occasions.

(3) The name and address of any provider of medical services, organization or other person released under paragraph (c)(1) or (2) of this section concerning which an active investigation is concluded with a finding that there is no fraud or other prosecutable offense.

§ 401.135 Release of Medicare information to the public.

The following shall be made available to the public under the conditions specified:

(a) Information as to amounts paid to providers and other organizations and facilities for services to beneficiaries under title XVIII of the Act: *Provided,* That no information identifying any particular beneficiaries shall be disclosed under this paragraph.

(b) The name of any provider of services or other person furnishing services to Medicare beneficiaries who—

(1) Has been found by a Federal court to have been guilty of submitting false claims in connection with Medicare; or

(2) Has been found by a carrier or intermediary, after consultation with a professional medical association functioning external to program administration or, if appropriate, the State medical authority, to have been engaged in a pattern of furnishing services to beneficiaries which are substantially in excess of their medical needs; except that the name of any provider or other person shall not be disclosed pursuant to a finding under this paragraph (b)(2) of this section, unless that provider or other person has first been afforded a reasonable opportunity to offer evidence on his behalf.

(c) Upon request in writing, cost reports submitted by providers of services pursuant to section 1815 of the Act to enable the Secretary to determine amounts due the providers.

§ 401.136 Requests for information or records.

(a) A request should reasonably identify the requested record by brief description. Requesters who have detailed information which would assist in identifying the records requested are urged to provide such information in order to expedite the handling of the request. Envelopes in which written requests are submitted should be clearly identified as Freedom of Information requests. The request should include the fee or request determination of the fee. When necessary, a written request will be promptly forwarded to the proper office, and the requester will be advised of the date of the receipt and identification and address of the proper office.

(b) Determinations of whether records will be released or withheld will be made within 10 working days from date of receipt of the request in the office listed in § 401.128 except where HCFA extends this time and sends notice of such extension to the requester. Such extension may not exceed 10 additional working days and shall apply only where the following unusual circumstances exist:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the requests;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are requested in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the request or among two or more components of HCFA having a substantial interest in the subject matter of the request.

(c) If an extension is made, the requester will be notified in writing before the expiration of 10 working days from receipt of the request and will be given an explanation of why the extension was necessary and the date on which a determination will be made.

(d) Authority to extend the time limit with respect to any request for information or records is granted to the Director, Office of Public Affairs, HCFA and to the Director of Public Affairs in any HHS Regional Office. Those officers and employees of HCFA who are listed in § 401.144(a) as having authority to deny requests for information from records maintained on individuals are granted authority to extend the time limit for responding to requests for information from such records.

§ 401.140 Fees and charges.

(a) *Statement of policy.* It is HCFA's policy to comply with certain requests for information services without charge. Except as otherwise determined pursuant to paragraph (c) of this section, fees will be charged for the following services with respect to all other requests for information from records which are reasonably identified by the requesters:

(1) Reproduction, duplication, or copying of records;

(2) Searches for records; and

(3) Certification or authentication of records.

(b) *Fee schedules.* The fee schedule is as follows:

(1) *Search for records.* Three dollars per hour: *Provided, however,* That no charge will be made for the first half hour.

(2) *Reproduction, duplication, or copying of records.* Ten cents per page where such reproduction can be made by commonly available photocopying machines. The cost of reproducing records which cannot be so photocopied will be determined on an individual basis at actual cost.

(3) *Certification or authentication of records.* Three dollars per certification or authentication.

(4) *Forwarding materials to destination.* Any special arrangements for forwarding which are requested shall be charged at actual cost; however, no charge will be made for postage.

(5) No charge will be made when the total amount does not exceed five dollars.

(c) *Waiver or reduction of fees.* Waiver or reduction of the fees in paragraph (b) of this section may be made upon a determination that such waiver or reduction is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Such determination may be made by the appropriate officer or employee identified in § 401.144.

(d) *Sale of documents.* On occasion, a previously printed document may be available for sale to the public; the cost of supplying the document is one cent per page unless the document is available for sale from the Superintendent of Documents, in which case the price shall be that determined by the Superintendent.

§ 401.144 Denial of requests.

(a) *General authority.* Only the Director, Office of Public Affairs, HCFA, and the Regional Directors of Public Affairs, HHS, are authorized to deny written requests to obtain, inspect or copy any HCFA information or record.

(b) *Forms of denials.* (1) Oral requests may be dealt with orally, but the requester should be advised that the oral response is not an official determination and that an official determination may be obtained only by submitting the request in writing. Appropriate available assistance will be offered.

(2) Written Requests—Denials of written requests will be in writing and will contain the reasons for the denial including, as appropriate, a statement that a document requested is nonexistent or not reasonably described or is subject to one or more clearly described exemption(s). Denials will also provide the requester with appropriate information on how to exercise the right of appeal.

§ 401.148 Administrative review.

(a) *Review by the Administrator.* A person whose request has been denied may initiate a review by filing a request for review with the Administrator of HCFA, 700 East High Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235, within 30 days of receipt of the determination to deny or within 30 days of receipt of records which are in partial response to his request if a portion of a request is granted and a portion denied, whichever is later. Upon receipt of a timely request for review, the Administrator will review the decision in question and the findings upon which it was based. Upon the basis of the data considered in connection with the decision and whatever other evidence and written argument is submitted by the person requesting the review or which is otherwise obtained, the Administrator or his designee will affirm or revise in whole or in part the findings and decision in question. A decision to affirm the denial will be made only upon concurrence of the Assistant Secretary for Public Affairs, or his designee, after consultation with the General Counsel or his or her designee, and the appropriate program policy official. Written notice of the decision of the Administrator will be mailed to the person who requested the review. A written decision will be made within 20 working days from receipt of the request for review. Extension of the time limit may be granted under the circumstances listed in § 401.136(b) to the extent that the maximum 10 days limit on extensions has not been exhausted on the initial determination. The decision will include the basis for it and will advise the requester of his right to judicial review.

(b) *Failure of the Administrator to comply with the time limits.* Failure of the Administrator to comply with the time limits set forth in § 401.136 and this section constitutes an exhaustion of the requester's administrative remedies.

§ 401.152 Court review.

Where the Administrator upon review affirms the denial of a request for records, in whole or in part, the requester may seek court review in the district court of the United States pursuant to 5 U.S.C. 552(a)(4)(B).

Title 45–Public Welfare

Subtitle A–Department of Health and Human Services

PART 5b—PRIVACY ACT REGULATIONS

Sec.
5b.1 Definitions.
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Appendix A—Employee Standards of Conduct
Appendix B—Routine Uses Applicable to More Than One System of Records Maintained by HHS
Appendix C—Delegations of Authority [Reserved]

Authority: 5 U.S.C. 301, 5 U.S.C. 552a.

Source: 40 FR 47409, Oct. 8, 1975, unless otherwise noted.

§ 5b.1 Definitions.

As used in this part:

(a) "Access" means availability of a record to a subject individual.

(b) "Agency" means the Department of Health and Human Services.

(c) "Department" means the Department of Health and Human Services.

(d) "Disclosure" means the availability or release of a record to anyone other than the subject individual.

(e) "Individual" means a living person who is a citizen of the United States or an alien lawfully admitted for permanent residence. It does not include persons such as sole proprietorships, partnerships, or corporations. A business firm which is identified by the name of one or more persons is not an individual within the meaning of this Part.

(f) "Maintain" means to maintain, collect, use, or disseminate when used in connection with the term "record"; and, to have control over or responsibility for a system of records when used in connection with the term "system of records."

(g) "Notification" means communication to an individual whether he is a subject individual.

(h) "Record" means any item, collection, or grouping of information about an individual that is maintained by the Department, including but not limited to the individual's education, financial transactions, medical history, and criminal or employment history and that contains his name, or an identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. When used in this Part, record means only a record which is in a system of records.

(i) "Responsible Department official" means that officer who is listed in a notice of a system of records as the system manager for a given system of records or another individual listed in the notice of a system of records to whom requests may be made, or the designee of either such officer or individual.

(j) "Routine use" means the disclosure of a record outside the Department, without the consent of the subject individual, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the Freedom of Information Act, 5 U.S.C. 552. It does not include disclosures which are permitted to be made without the consent of the subject individual which are not compatible with the purpose for which it was collected such as disclosures to the

Bureau of the Census, the General Accounting Office, or to Congress.

(k) "Secretary" means the Secretary of Health and Human Services, or his designee.

(l) "Statistical record" means a record maintained for statistical research or reporting purposes only and not maintained to make determinations about a particular subject individual.

(m) "Subject individual" means that individual to whom a record pertains.

(n) "System of records" means any group of records under the control of the Department from which a record is retrieved by personal identifier such as the name of the individual, number, symbol or other unique retriever assigned to the individual. Single records or groups of records which are not retrieved by a personal identifier are not part of a system of records. Papers maintained by individual employees of the Department which are prepared, maintained, or discarded at the discretion of the employee and which are not subject to the Federal Records Act, 44 U.S.C. 2901, are not part of a system of records; *Provided,* That such personal papers are not used by the employee or the Department to determine any rights, benefits, or privileges of individuals.

§ 5b.2 Purpose and scope.

(a) This Part implements section 3 of the Privacy Act of 1974, 5 U.S.C. 552a (hereinafter referred to as the Act), by establishing agency policies and procedures for the maintenance of records. This Part also establishes agency policies and procedures under which a subject individual may be given notification of or access to a record pertaining to him and policies and procedures under which a subject individual may have his record corrected or amended if he believes that his record is not accurate, timely, complete, or relevant or necessary to accomplish a Department function.

(b) All components of the Department are governed by the provisions of this Part. Also governed by the provisions of this Part are:

(1) Certain non-federal entities which operate as agents of the Department for purposes of carrying out Federal functions, such as intermediaries and carriers performing functions under contracts and agreements entered into pursuant to sections 1816 and 1842 of the Social Security Act, 42 U.S.C. 1395h and 1395u.

(2) Advisory committees and councils within the meaning of the Federal Advisory Committee Act which provide advice to (i) any official or component of the Department or (ii) the President and for which the Department has been delegated responsibility for providing services.

(c) Employees of the Department governed by this Part include all regular and special government employees of the Department; members of the Public Health Service Commissioned Corps; experts and consultants whose temporary (not in excess of 1 year) or intermittent services have been procured by the Department by contract pursuant to 3109 of title 5, United States Code; volunteers where acceptance of their services are authorized by law; those individuals performing gratuitous services as permitted under conditions prescribed by the Civil Service Commission; and, participants in work-study or training programs.

(d) Where other statutes mandate procedures which are inconsistent with the procedures set forth in this Part, components of the Department may issue supplementary regulations containing procedures necessary to comply with such statutes. In addition, components of the Department may supplement by regulation the policies and procedures set forth in this Part to meet particular needs of the programs administered by such components.

(e) This Part does not:

(1) Make available to a subject individual records which are not retrieved by that individual's name or other personal identifier.

(2) Make available to the general public records which are retrieved by a subject individual's name or other personal identifier or make available to the general public records which would otherwise not be available to the general public under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(3) Govern the maintenance or disclosure of, notification of or access to, records in the possession of the Department which are subject to regulations of another agency, such as personnel records subject to the regulations of the Civil Service Commission.

(4) Apply to grantees, including State and local governments or subdivisions thereof, administering federally funded programs.

(5) Make available records compiled by the Department in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such records to the general public or to any subject individual or party to such litigation or proceedings shall be governed by applicable constitutional principles, rules of discovery, and applicable regulations of the Department and any of its components.

§ 5b.3 Policy.

It is the policy of the Department to protect the privacy of individuals to the fullest extent possible while nonetheless permitting the exchange of records required to fulfill the administrative and program responsibilities of the Department, and responsibilities of the Department for disclosing records which the general public is entitled to have under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

§ 5b.4 Maintenance of records.

(a) No record will be maintained by the Department unless:

(1) It is relevant and necessary to accomplish a Department function required to be accomplished by statute or Executive Order;

(2) It is acquired to the greatest extent practicable from the subject individual when maintenance of the record may result in a determination about the subject individual's rights, benefits or privileges under Federal programs;

(3) The individual providing the record is informed of the authority for providing the record (including whether the providing of the record is mandatory or voluntary, the principal purpose for maintaining the record, the routine uses for the record, what effect his refusal to provide the record may have on him), and if the record is not required by statute or Executive Order to be provided by the individual, he agrees to provide the record.

(b) No record will be maintained by the Department which describes how an individual exercises rights guaranteed by the First Amendment unless expressly authorized (1) by statute, or (2) by the subject individual, or (3) unless pertinent to and within the scope of an authorized law enforcement activity.

§ 5b.5 Notification of or access to records.

(a) *Times, places, and manner of requesting notification of or access to a record.* (1) Subject to the provisions governing medical records in § 5b.6 of this part, any individual may request notification of a record. He may at the same time request access to any record pertaining to him. An individual may be accompanied by another individual of his choice when he requests access to a record in person; *Provided,* That he affirmatively authorizes the presence of such other individual during any discussion of a record to which access is requested.

(2) An individual making a request for notification of or access to a record shall address his request to the responsible Department official and shall verify his identity when required in accordance with paragraph (b)(2) of this section. At the time the request is made, the individual shall specify which systems of records he wishes to have searched and the records to which he wishes to have access. He may also request that copies be made of all or any such records. An individual shall also provide the responsible Department official with sufficient particulars to enable such official to distinguish between records on subject individuals with the same name. The necessary particulars are set forth in the notices of systems of records.

(3) An individual who makes a request in person may leave with any responsible Department official a request for notification of or access to a record under the control of another responsible Department official: *Provided*, That the request is addressed in writing to the appropriate responsible Department official.

(b) *Verification of identity*—(1) *When required*. Unless an individual, who is making a request for notification of or access to a record in person, is personally known to the responsible Department official, he shall be required to verify his identity in accordance with paragraph (b)(2) of this section if:

(i) He makes a request for notification of a record and the responsible Department official determines that the mere disclosure of the existence of the record would be a clearly unwarranted invasion of privacy if disclosed to someone other than the subject individual; or,

(ii) He makes a request for access to a record which is not required to be disclosed to the general public under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(2) *Manner of verifying identity*.

(i) An individual who makes a request in person shall provide to the responsible Department official at least one piece of tangible identification such as a driver's license, passport, alien or voter registration card, or union card to verify his identity. If an individual does not have identification papers to verify his identity, he shall certify in writing that he is the individual who he claims to be and that he understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act subject to a $5,000 fine.

(ii) Except as provided in paragraph (b)(2)(v) of this section, an individual who does not make a request in person shall submit a notarized request to the responsible Department official to verify his identity or shall certify in his request that he is the individual who he claims to be and that he understands that the knowing and willful request for or acquisition of a record pertaining to an individual under false pretenses is a criminal offense under the Act subject to a $5,000 fine.

(iii) An individual who makes a request on behalf of a minor or legal incompetent as authorized under § 5b.10 of this Part shall verify his relationship to the minor or legal incompetent, in addition to verifying his own identity, by providing a copy of the minor's birth certificate, a court order, or other competent evidence of guardianship to the responsible Department official; *except that*, an individual is not required to verify his relationship to the minor or legal incompetent when he is not required to verify his own identity or when evidence of his relationship to the minor or legal incompetent has been previously given to the responsible Department official.

(iv) An individual shall further verify his identity if he is requesting notification of or access to sensitive records such as medical records. Any further verification shall parallel the record to which notification or access is being sought. Such further verification may include such particulars as the individual's years of attendance at a particular educational institution, rank attained in the uniformed services, date or place of birth, names of parents, an occupation or the specific times the individual received medical treatment.

(v) An individual who makes a request by telephone shall verify his identity by providing to the responsible Department official identifying particulars which parallel the record to which notification or access is being sought. If the responsible Department official determines that the particulars provided by telephone are insufficient, the requester will be required to submit the request in writing or in person. Telephone requests will not be accepted where an individual is requesting notification of or access to sensitive records such as medical records.

(c) *Granting notification of or access to a record*. (1) Subject to the provisions governing medical records in § 5b.6 of this part and the provisions governing exempt systems in § 5b.11 of this part, a responsible Department official, who receives a request for notification of or access to a record and, if required, verification of an individual's identity, will review the request and grant notification or access to a record, if the individual requesting access to the record is the subject individual.

(2) If the responsible Department official determines that there will be a delay in responding to a request because of the number of requests being processed, a breakdown of equipment, shortage of personnel, storage of records in other locations, etc., he will so inform the individual and indicate when notification or access will be granted.

(3) Prior to granting notification of or access to a record, the responsible Department official may at his discretion require an individual making a request in person to reduce his request to writing if the individual has not already done so at the time the request is made.

§ 5b.6 Special procedures for notification of or access to medical records.

(a) *General*. An individual in general has a right to notification of or access to his medical records, including psychological records, as well as to other records pertaining to him maintained by the Department. This section sets forth special procedures as permitted by the Act for notification of or access to medical records, including a special procedure for notification of or access to medical records of minors. The special procedures set forth in paragraph (b) of this section may not be suitable for use by every component of the Department. Therefore, components may follow the paragraph (b) procedure for notification of or access to medical records, or may issue regulations establishing special procedures for such purposes. The special procedure set forth in paragraph (c) of this section relating to medical records of minors is mandatory.

(b) *Medical records procedures*—(1) *Notification of or access to medical records*. (i) Any individual may request notification of or access to a medical record pertaining to him. Unless the individual is a parent or guardian requesting notification of or access to a minor's medical record, an individual shall make a request for a medical record in accordance with this section and the procedures in § 5b.5 of this Part.

(ii) An individual who requests notification of or access to a medical record shall, at the time the request is made, designate a representative in writing. The representative may be a physician, other health professional, or other responsible individual, who would be willing to review the record and inform the subject individual of its contents at the representative's discretion.

(2) *Utilization of the designated representative.* A subject individual will be granted direct access to a medical record if the responsible official determines that direct access is not likely to have an adverse effect on the subject individual. If the responsible Department official believes that he is not qualified to determine, or if he does determine, that direct access to the subject individual is likely to have an adverse effect on the subject individual, the record will be sent to the designated representative. The subject individual will be informed in writing that the record has been sent.

(c) *Medical records of minors*—(1) *Requests by minors; notification of or access to medical records to minors.* A minor may request notification of or access to a medical record pertaining to him in accordance with paragraph (b) of this section.

(2) *Requests on a minor's behalf; notification of or access to medical records to an individual on a minor's behalf.* (i) In order to protect the privacy of a minor, a parent or guardian, authorized to act on a minor's behalf as provided in § 5b.10 of this part, who makes a request for notification of or access to a minor's medical record will not be given direct notification of or access to such record.

(ii) A parent or guardian shall make all requests for notification of or access to a minor's medical record in accordance with this paragraph and the procedures in § 5b.5 of this part. A parent or guardian shall at the time he makes a request designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent.

(iii) Where a medical record on the minor exists, it will be sent to the physician or health professional designated by the parent or guardian in all cases. If disclosure of the record would constitute an invasion of the minor's privacy, that fact will be brought to the attention of the physician or health professional to whom the record is sent. The physician or health professional will be asked to consider the effect that disclosure of the record to the parent or guardian would have on the minor in determining whether the minor's medical record should be made available to the parent or guardian. Response to the parent or guardian making the request will be made in substantially the following form:

> We have completed processing your request for notification of or access to
>
> ——————————'s
>
> (Name of minor)
>
> medical records. Please be informed that if any medical record were found pertaining to that individual, they have not been sent to your designated physician or health professional.

In each case where a minor's medical record is sent to a physician or health professional, reasonable efforts will be made to so inform the minor.

§ 5b.7 Procedures for correction or amendment of records.

(a) Any subject individual may request that his record be corrected or amended if he believes that the record is not accurate, timely, complete, or relevant or necessary to accomplish a Department function. A subject individual making a request to amend or correct his record shall address his request to the responsible Department official in writing; *except that,* the request need not be in writing if the subject individual makes his request in person and the responsible Department official corrects or amends the record at that time. The subject individual shall specify in each request:

(1) The system of records from which the record is retrieved;

(2) The particular record which he is seeking to correct or amend;

(3) Whether he is seeking an addition to or a deletion or substitution of the record; and,

(4) His reasons for requesting correction or amendment of the record.

(b) A request for correction or amendment of a record will be acknowledged within 10 working days of its receipt unless the request can be processed and the subject individual informed of the responsible Department official's decision on the request within that 10 day period.

(c) If the responsible Department official agrees that the record is not accurate, timely, or complete based on a preponderance of the evidence, the record will be corrected or amended. The record will be deleted without regard to its accuracy, if the record is not relevant or necessary to accomplish the Department function for which the record was provided or is maintained. In either case, the subject individual will be informed in writing of the correction, amendment, or deletion and, if accounting was made of prior disclosures of the record, all previous recipients of the record will be informed of the corrective action taken.

(d) If the responsible Department official does not agree that the record should be corrected or amended, the subject individual will be informed in writing of the refusal to correct or amend the record. He will also be informed that he may appeal the refusal to correct or amend his record to the appropriate appeal authority listed in § 5b.8 of this Part. The appropriate appeal authority will be identified to the subject individual by name, title, and business address.

(e) Requests to correct or amend a record governed by the regulation of another government agency, *e.g.,* Civil Service Commission, Federal Bureau of Investigation, will be forwarded to such government agency for processing and the subject individual will be informed in writing of the referral.

§ 5b.8 Appeals of refusals to correct or amend records.

(a) *Processing the appeal.* (1) A subject individual who disagrees with a refusal to correct or amend his record may appeal the refusal in writing. All appeals shall be made to the following appeal authorities, or their designees, or successors in function:

(i) Assistant Secretary for Administration and Management for records of the Office of the Secretary, or where the initial refusal to correct or amend was made by another appeal authority. The appeal authority for an initial refusal by the Assistant Secretary for Administration and Management is the Under Secretary.

(ii) Assistant Secretary for Health for records of the Public Health Service including Office of Assistant Secretary for Health; Health Resources Administration; Health Services Administration; Alcohol, Drug Abuse, and Mental Health Administration; Center for Disease Control; National Institutes of Health; and Food and Drug Administration.

(iii) Assistant Secretary for Education for records of the Office of the Assistant Secretary for Education, National Center for Education Statistics, National Institute of Education, and Office of Education.

(iv) Assistant Secretary for Human Development for records of the Office of Human Development.

(v) Commissioner of Social Security for records of the Social Security Administration.

(vi) Administrator, Social and Rehabilitation Service for the records of the Social and Rehabilitation Service.

(2) An appeal will be completed within 30 working days from its receipt by the appeal authority; *except that,* the appeal authority may for good cause extend this period for an additional 30 days. Should the appeal period be extended, the subject individual appealing the refusal to correct or amend the record will be informed in writing of the extension and the circumstances of the delay. The subject individual's request to amend or correct

the record, the responsible Department official's refusal to correct or amend, and any other pertinent material relating to the appeal will be reviewed. No hearing will be held.

(3) If the appeal authority agrees that the record subject to the appeal should be corrected or amended, the record will be amended and the subject individual will be informed in writing of the correction or amendment. Where an accounting was made of prior disclosures of the record, all previous recipients of the record will be informed of the corrective action taken.

(4) If the appeal is denied, the subject individual will be informed in writing:

(i) Of the denial and the reasons for the denial;

(ii) That he has a right to seek judicial review of the denial; and,

(iii) That he may submit to the responsible Department official a concise statement of disagreement to be associated with the disputed record and disclosed whenever the record is disclosed.

(b) *Notation and disclosure of disputed records.* Whenever a subject individual submits a statement of disagreement to the responsible Department official in accordance with paragraph (a)(4)(iii) of this section, the record will be noted to indicate that it is disputed. In any subsequent disclosure, a copy of the subject individual's statement of disagreement, will be disclosed with the record. If the responsible Department official deems it appropriate, a concise statement of the appeal authority's reasons for denying the subject individual's appeal may also be disclosed with the record. While the subject individual will have access to this statement of reasons, such statement will not be subject to correction or amendment. Where an accounting was made of prior disclosures of the record, all previous recipients of the record will be provided a copy of the subject individual's statement of disagreement, as well as the statement, if any, of the appeal authority's reasons for denying the subject individual's appeal.

§ 5b.9 Disclosure of records.

(a) *Consent to disclosure by a subject individual.* (1) Except as provided in paragraph (b) of this section authorizing disclosures of records without consent, no disclosure of a record will be made without the consent of the subject individual. In each case the consent, whether obtained from the subject individual at the request of the Department or whether provided to the Department by the subject individual on his own initiative, shall be in writing. The consent shall specify the individual, organizational unit or class of individuals or organizational units to whom the record may be disclosed, which record may be disclosed and, where applicable, during which time frame the record may be disclosed (*e.g.*, during the school year, while the subject individual is out of the country, whenever the subject individual is receiving specific services). A blanket consent to disclose all of a subject individual's records to unspecified individuals or organizational units will not be honored. The subject individual's identity and, where applicable (*e.g.*, where a subject individual gives consent to disclosure of a record to a specific individual), the identity of the individual to whom the record is to be disclosed shall be verified.

(2) A parent or guardian of any minor is not authorized to give consent to a disclosure of the minor's medical record.

(b) *Disclosures without the consent of the subject individual.* The disclosures listed in this paragraph may be made without the consent of the subject individual. Such disclosures are:

(1) To those officers and employees of the Department who have a need for the record in the performance of their duties. The responsible Department official may upon request of any officer or employee, or on his own initiative, determine what constitutes legitimate need.

(2) Required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, and Part 5 of this title.

(3) For a routine use as defined in paragraph (j) of § 5b.1 of this Part. Routine uses will be listed in any notice of a system of records. Routine uses published in Appendix B are applicable to more than one system of records. Where applicable, notices of systems of records may contain references to the routine uses listed in Appendix B. Appendix B will be published with any compendium of notices of systems of records.

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13 U.S.C.

(5) To a recipient who has provided the agency with advance written assurance that the record will be used solely as a statistical research or reporting record; *Provided,* That, the record is transferred in a form that does not identify the subject individual.

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value.

(7) To another government agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of such government agency or instrumentality has submitted a written request to the Department specifying the record desired and the law enforcement activity for which the record is sought.

(8) To an individual pursuant to a showing of compelling circumstances affecting the health or safety of any individual if a notice of the disclosure is transmitted to the last known address of the subject individual.

(9) To either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee.

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(11) Pursuant to the order of a court of competent jurisdiction.

(c) *Accounting of disclosures.* (1) An accounting of all disclosures of a record will be made and maintained by the Department for 5 years or for the life of the record, whichever is longer; *except that,* such an accounting will not be made:

(i) For disclosures under paragraph (b) (1) and (2) of this section; and,

(ii) For disclosures made with the written consent of the subject individual.

(2) The accounting will include:

(i) The date, nature, and purpose of each disclosure; and

(ii) The name and address of the person or entity to whom the disclosure is made.

(3) Any subject individual may request access to an accounting of disclosures of a record. The subject individual shall make a request for access to an accounting in accordance with the procedures in § 5b.5 of this part. A subject individual will be granted access to an accounting of the disclosures of a record in accordance with the procedures of this part which govern access to the related record. Access to an accounting of a disclosure of a record made under paragraph (b)(7) of this section may be granted at the discretion of the responsible Department official.

§ 5b.10 Parents and guardians.

For the purpose of this part, a parent or guardian of any minor or the legal guardian or any individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction is authorized to act on behalf of an individual or a subject individual. Except as provided in paragraph (b)(2) of § 5b.5, of this Part governing procedures for verifying an individual's identity, and paragraph (c) (2) of § 5b.6 of this part governing special procedures for notification of or access to a minor's medical records, an individual authorized to act on behalf of a minor or legal incompetent will be viewed as if he were the individual or subject individual.

§ 5b.11 Exempt systems.

(a) *General policy.* The Act permits certain types of specific systems of records to be exempt from some of its requirements. It is the policy of the Department to exercise authority to exempt systems of records only in compelling cases.

(b) *Specific systems of records exempted.* (1) Those systems of records listed in paragraph (b)(2) of this section are exempt from the following provisions of the Act and this Part:

(i) 5 U.S.C. 552a(c)(3) and paragraph (c)(2) of § 5b.9 of this part which require a subject individual to be granted access to an accounting of disclosures of a record.

(ii) 5 U.S.C. 552a(d) (1) through (4) and (f) and §§ 5b.6, 5b.7, and 5b.8 of this part relating to notification of or access to records and correction or amendment of records.

(iii) 5 U.S.C. 552a(e)(4) (G) and (H) which require inclusion of information about Department procedures for notification, access, and correction or amendment of records in the notice for the systems of records.

(iv) 5 U.S.C. 552(e)(3) and paragraph (a)(3) of § 5b.4 of this Part which require that an individual asked to provide a record to the Department be informed of the authority for providing the record (including whether the providing of the record is mandatory or voluntary, the principal purposes for maintaining the record, the routine uses for the record, and what effect his refusal to provide the record may have on him), and if the record is not required by statute or Executive Order to be provided by the individual, he agrees to provide the record. This exemption applies only to an investigatory record compiled by the Department for criminal law enforcement purposes in a system of records exempt under subsection (j)(2) of the Act to the extent that these requirements would prejudice the conduct of the investigation.

(2) The following systems of records are exempt from those provisions of the Act and this part listed in paragraph (b)(1) of this section.

(i) Pursuant to subsection (j)(2) of the Act:

(A) The Saint Elizabeths Hospital's Court-Ordered Forensic Investigatory Materials Files; and

(B) The Investigatory Material Compiled for Law Enforcement Purposes System, HHS.

(ii) Pursuant to subsection (k)(2) of the Act:

(A) The General Criminal Investigation Files, HHS/SSA;

(B) The Criminal Investigations File, HHS/SSA; and,

(C) The Program Integrity Case Files, HHS/SSA.

(D) Civil and Administrative Investigative Files of the Inspector General, HHS/OS/OIG.

(iii) Pursuant to subsection (k)(4) of the Act:

(A) The Health and Demographic Surveys Conduct in Random Samples of the U.S. Population;

(B) The Health Manpower Inventories and Surveys;

(C) The Vital Statistics for Births, Deaths, Fetal Deaths, Marriages and Divorces Occurring in the U.S. during Each Year; and,

(D) The Maryland Psychiatric Case Register.

(E) The Health Resources Utilization Statistics, DHHS/OASH/NCHS.

(F) National Medical Expenditure Survey Records, HHS/OASH/NCHSR.

(iv) Pursuant to subsection (k)(5) of the Act:

(A) The Investigatory Material Compiled for Security and Suitability Purposes System, HHS; and,

(B) The Suitability for Employment Records, HHS.

(v) Pursuant to subsections (j)(2), (k)(2), and (k)(5) of the Act:

(A) The Clinical Investigatory Records, HHS/FDA;

(B) The Regulated Industry Employee Enforcement Records, HHS/FDA;

(C) The Employee Conduct Investigative Records, HHS/FDA; and,

(D) The Service Contractor Employee Investigative Records, HHS/FDA.

(vi) Pursuant to subsection (k)(6) of the Act:

(A) The Personnel Research and Merit Promotion Test Records, HHS/SSA/OMA.

(c) *Notification of or access to records in exempt systems of records.* (1) Where a system of records is exempt as provided in paragraph (b) of this section, any individual may nonetheless request notification of or access to a record in that system. An individual shall make requests for notification of or access to a record in an exempt system of records in accordance with the procedures of §§ 5b.5 and 5b.6 of this part.

(2) An individual will be granted notification of or access to a record in an exempt system but only to the extent such notification or access would not reveal the identity of a source who furnished the record to the Department under an express promise, and prior to September 27, 1975 an implied promise, that his identity would be held in confidence, if:

(i) The record is in a system of records which is exempt under subsection (k)(2) of the Act and the individual has been, as a result of the maintenance of the record, denied a right, privilege, or benefit to which he would otherwise be eligible; or,

(ii) The record is in a system of records which is exempt under subsection (k)(5) of the Act.

(3) If an individual is not granted notification of or access to a record in a system of records exempt under subsections (k) (2) and (5) of the Act in accordance with this paragraph, he will be informed that the identity of a confidential source would be revealed if notification of or access to the record were granted to him.

(d) *Discretionary actions by the responsible Department official.* Unless disclosure of a record to the general public is otherwise prohibited by law, the responsible Department official may in his discretion grant notification of or access to a record in a system of records which is exempt under paragraph (b) of this section. Discretionary notification of or access to a record in accordance with this paragraph will not be a precedent for discretionary notification of or access to a similar or related record and will not obligate the responsible Department official to exercise his discretion to grant notification of or access to any other record in a system of records which is exempt under paragraph (b) of this section.

[40 FR 47409, Oct. 8, 1975, as amended at 43 FR 40229, Sept. 11, 1978; 47 FR 57040, Dec.22, 1982; 51 FR 41352, Nov. 14, 1986]

§ 5b.12 Contractors.

(a) All contracts entered into on or after September 27, 1975 which require a contractor to maintain or on behalf of the Department to maintain, a system of records to accomplish a Department function must contain a provision requiring the contractor to comply with the Act and this part.

(b) All unexpired contracts entered into prior to September 27, 1975 which require the contractor to maintain or on behalf of the Department to maintain, a system of records to accomplish a Department function will be amended as soon as practicable to include a provision requiring the contractor to comply with the Act and this Part. All such contracts must be so amended by July 1, 1976 unless for good cause the appeal authority identified in § 5b.8 of this part authorizes the continuation of the contract without amendment beyond that date.

(c) A contractor and any employee of such contractor shall be considered employees of the Department only for the purposes of the criminal penalties of the Act, 5 U.S.C. 552a(i), and the employee standards of conduct listed in Appendix A of this part where the contract contains a provision requiring the contractor to comply with the Act and this part.

(d) This section does not apply to systems of records maintained by a contractor as a result of his management discretion, *e.g.*, the contractor's personnel records.

§ 5b.13 Fees.

(a) *Policy.* Where applicable, fees for copying records will be charged in accordance with the schedule set forth in this section. Fees may only be charged where an individual requests that a copy be made of the record to which he is granted access. No fee may be charged for making a search of the system of records whether the search is manual, mechanical, or electronic. Where a copy of the record must be made in order to provide access to the record (*e.g.*, computer printout where no screen reading is available), the copy will be made available to the individual without cost. Where a medical record is made available to a representative designated by the individual or to a physician or health professional designated by a parent or guardian under § 5b.6 of this Part, no fee will be charged.

(b) *Fee schedule.* The fee schedule for the Department is as follows:

(1) Copying of records susceptible to photocopying—$.10 per page.

(2) Copying records not susceptible to photocopying (*e.g.*, punch cards or magnetic tapes)—at actual cost to be determined on a case-by-case basis.

(3) No charge will be made if the total amount of copying does not exceed $25.

Appendix A—Employee Standards of Conduct

(a) *General.* All employees are required to be aware of their responsibilities under the Privacy Act of 1974, 5 U.S.C. 552a. Regulations implementing the Act are set forth in 45 CFR 5b. Instruction on the requirements of the Act and regulation shall be provided to all new employees of the Department. In addition, supervisors shall be responsible for assuring that employees who are working with systems of records or who undertake new duties which require the use of systems of records are informed of their responsibilities. Supervisors shall also be responsible for assuring that all employees who work with such systems of records are periodically reminded of the requirements of the Act and are advised of any new provisions or interpretations of the Act.

(b) *Penalties.* (1) All employees must guard against improper disclosure of records which are governed by the Act. Because of the serious consequences of improper invasions of personal privacy, employees may be subject to disciplinary action and criminal prosecution for knowing and willful violations of the Act and regulation. In addition, employees may also be subject to disciplinary action for unknowing or unwillful violations, where the employee had notice of the provisions of the Act and regulations and failed to inform himself sufficiently or to conduct himself in accordance with the requirements to avoid violations.

(2) The Department may be subjected to civil liability for the following actions undertaken by its employees:

(a) Making a determination under the Act and section 5b.7 and 5b.8 of the regulation not to amend an individual's record in accordance with his request, or failing to make such review in conformity with those provisions:

(b) Refusing to comply with an individual's request for notification of or access to a record pertaining to him;

(c) Failing to maintain any record pertaining to any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such a record, and consequently a determination is made which is adverse to the individual; or

(d) Failing to comply with any other provision of the Act or any rule promulgated thereunder, in such a way as to have an adverse effect on an individual.

(3) "An employee may be personally subject to criminal liability as set forth below and in 5 U.S.C. 552a (i):

(a) Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by the Act or by rules or regulations established thereunder, and who, knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000."

(b) "Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements [of the Act] shall be guilty of a misdemeanor and fined not more than $5,000."

(c) *Rules Governing Employees Not Working With Systems of Records.* Employees whose duties do not involve working with systems of records will not generally disclose to any one, without specific authorization from their supervisors, records pertaining to employees or other individuals which by reason of their official duties are available to them. Notwithstanding the above, the following records concerning Federal employees are a matter of public record and no further authorization is necessary for disclosure:

(1) Name and title of individual.

(2) Grade classification or equivalent and annual rate of salary.

(3) Position description.

(4) Location of duty station, including room number and telephone number.

In addition, employees shall disclose records which are listed in the Department's Freedom of Information Regulation as being available to the public. Requests for other records will be referred to the responsible Department official. This does not preclude employees from discussing matters which are known to them personally, and without resort to a record, to official investigators of Federal agencies for official purposes such as suitability checks, Equal Employment Opportunity investigations, adverse action proceedings, grievance proceedings, etc.

(d) *Rules governing employees whose duties require use or reference to systems of records.* Employees whose official duties require that they refer to, maintain, service, or otherwise deal with systems of records (hereinafter referred to as "Systems Employees") are governed by the general provisions. In addition, extra precautions are required and systems employees are held to higher standards of conduct.

(1) Systems Employees shall:

(a) Be informed with respect to their responsibilities under the Act;

(b) Be alert to possible misuses of the system and report to their supervisors any potential or actual use of the system which they believe is not in compliance with the Act and regulation;

(c) Make a disclosure of records within the Department only to an employee who has a legitimate need to know the record in the course of his official duties;

(d) Maintain records as accurately as practicable.

(e) Consult with a supervisor prior to taking any action where they are in doubt whether such action is in conformance with the Act and regulation.

(2) Systems Employees shall not:

(a) Disclose in any form records from a system of records except (1) with the consent or at the request of the subject individual; or (2) where its disclosure is permitted under § 5b.9 of the regulation.

(b) Permit unauthorized individuals to be present in controlled areas. Any unauthorized individuals observed in controlled areas shall be reported to a supervisor or to the guard force.

(c) Knowingly or willfully take action which might subject the Department to civil liability.

(d) Make any arrangements for the design development, or operation of any system of records without making reasonable effort to provide that the system can be maintained in accordance with the Act and regulation.

(e) *Contracting officers.* In addition to any applicable provisions set forth above, those employees whose official duties involve entering into contracts on behalf of the Department shall also be governed by the following provisions:

(1) *Contracts for design, or development of systems and equipment.* No contract for the design or development of a system of records, or for equipment to store, service or maintain a system of records shall be entered into unless the contracting officer has made reasonable effort to ensure that the product to be purchased is capable of being used without violation of the Act or regulation. Special attention shall be given to provision of physical safeguards.

(2) *Contracts for the operation of systems and equipment.* No contract for the design or development of a system of whom he feels appropriate, of all proposed contracts providing for the operation of systems of records shall be made prior to execution of the contracts to determine whether operation of the system of records is for the purpose of accomplishing a Department function. If a determination is made that the operation of the system is to accomplish a Department function, the contracting officer shall be responsible for including in the contract appropriate provisions to apply the provisions of the Act and regulation to the system, including prohibitions against improper release by the contractor, his employees, agents, or subcontractors.

(3) *Other service contracts.* Contracting officers entering into general service contracts shall be responsible for determining the appropriateness of including provisions in the contract to prevent potential misuse (inadvertent or otherwise) by employees, agents, or subcontractors of the contractor.

(f) *Rules Governing Responsible Department Officials.* In addition to the requirements for Systems Employees, responsible Department officials shall:

(1) Respond to all requests for notification of or access, disclosure, or amendment of records in a timely fashion in accordance with the Act and regulation;

(2) Make any amendment of records accurately and in a timely fashion;

(3) Inform all persons whom the accounting records show have received copies of the record prior to the amendments of the correction; and

(4) Associate any statement of disagreement with the disputed record, and

(a) Transmit a copy of the statement to all persons whom the accounting records show have received a copy of the disputed record, and

(b) Transmit that statement with any future disclosure.

Appendix B—Routine Uses Applicable to More Than One System of Records Maintained by HHS

(1) In the event that a system of records maintained by this agency or carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10)–(99) [Reserved]

(100) To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

(101) To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(102) To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

(103) Disclosures in the course of employee discipline or competence determination proceedings.

Appendix C—Delegations of Authority [Reserved]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

I. General Statement of Routine Uses.

Routine Use—Law Enforcement

In the event that a system of records maintained by this Department to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Routine Use—Disclosure When Requesting Information

A record from a system of records maintained by this Department may be disclosed as a routine use of a federal, state, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a component decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

Routine Use—Disclosure or Requested Information

A record from a system of records maintained by this Department may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Routine Use—Disclosure to OMB

The information contained in a system of records will be disclosed to the Office of Management and Budget in connection with review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular, and for the purpose of evaluating the Department's credit and debt collection activities to further the goal of the President's Management Improvement Council.

Routine Use—Disclosure Pursuant to Congressional Inquiry

Disclosures may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

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HUD/DEPT-1

System name: Accidents, Employees and/or Government Vehicles.

System location: Most Department Offices, including the Headquarters Office. For a complete listing of these officers, with addresses, see Appendix A.

Categories of individuals covered by the system: HUD employees in on-the-job accidents, including accidents involving official use of motor vehicles.

Categories of records in the system: Details of how accidents occurred and injuries were sustained; employees' absences due to injuries and resultant claims; and property damage incurred.

Authority for maintenance of the system: Occupational Safety and Health Act of 1970, Pub.L. 91-596.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses; the records are used by the Department of Labor when personal injury occurs and/or compensations is involved. GSA uses the records when accidents involve motor vehicles and the repair of those vehicles.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Subject name.

Safeguards: The systems records are kept in lockable file cabinets, desks, and in locked rooms.

Retention and disposal: Procedural disposal follows: HUD Handbook General Records Schedule.

System manager(s) and address: Director, Policy Evaluation and Special Projects Division, Office of Administrative Services, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required contact the

Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A, (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individual and supervisor, Federal Government agencies; law enforcement agencies; current or previous employers; accident investigation officers.

HUD/DEPT-2

System name:

Accounting Records.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Mortgagors; mortgagees; grant/project and loan applicants and recipients; HUD personnel; vendors; brokers; bidders; managers; tenants; individuals within Disaster Assistance Programs; builders, developers, contractors, and appraisers; individuals writing to the Department; employees on HUD/FHA projects; investors; subjects of audit; closing agents; former mortgagors and purchasers of HUD-owned properties.

Categories of records in the system:

Lease and loan collection register; schedules of payments receivable and received; premiums due; claim files and fee billing statements; escrow and Certificates of Deposit files; cash flow and budget control files; earnest money register; purchase order log; imprest fund: Field managers' accounting records; restitution, maintenance, and market expenses; distributive shares records; salary; savings bonds; bills of lading; vouchers; invoices; receipts; cancelled checks; mortgages, builders and contractors financial statements, records and audit reports, requests for termination of home mortgage insurance; deposit and receipt records; detailed accounting reports concerning diversified payments, disbursements, and cancelled checks; repurchases of mortgages; adjustments from recoveries, manual adjustments, and defaults; acquired home property records; sales closing papers; statements of accounts; tax records.

Authority for maintenance of the system:

Sec. 113 of the Budget and Accounting Act of 1950 31 U.S.C. 66a. (Pub. L. 81-784).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Users paragraphs in prefatory statement. Other routine uses: U.S. Treasury—for disbursements and adjustments thereof: Internal Revenue Service—for reporting of sales commissions, and to obtain current mailing address; General Accounting Office, General Services Administration, Department of Labor, Labor housing authorities, and taxing authorities—for audit, accounting and financial reference purposes; mortgagee lenders—for accounting and financial reference purposes; for verifying information provided by new loan applicants and for evaluating credit worthiness; HUD contractor—for mortgage note servicing; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966, 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Desks: Safes; locked filing cabinets; central files; book cases; ledger trays and binders; tables; magnetic tape/disc/drum.

Retrievability:

By Social Security number; name; case file number; schedule number; audit number; control number; receipt number; voucher number; contract number; address.

Safeguards:

Security checks, limited authorization and access, security guards; computer records are maintained in secure areas with access limited to authorized personnel and technical restraints employed with regard to accessing the records.

Retention and disposal:

GSA schedules of retention and disposal; destruction after six months; transfer to either a Federal Records Center or Archives.

System manager(s) and address:

Director, Office of Finance and Accounting, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure:

For information assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rule for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Department Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individuals; other individuals; current or previous employers; credit bureaus; financial institutions; private corporations or firms doing business with HUD; Federal and non-federal governmental agencies; HUD personnel.

HUD/DEPT-4

System name: Fee Inspectors, Appraisers, and Mortgage Credit Examiners.

System location: Field offices; for a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Individuals who have applied to HUD for appointment as fee appraisers, inspectors, and mortgage credit examiners.

Categories of records in the system: Applications and resumes containing personal data and qualifications for position sought; assignment logs, fees paid and appraisals made; and evaluation of qualifications and of appraisals made.

Authority for maintenance of the system: Sections 203 and 226 of the National Housing Act, Pub. L. 73-479.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: To fee appraisers—for voucher preparation; to VA, mortgagors, mortgagees—notice of FHA action, billing; to local government officials—for code enforcement, health and wetlands clearance; to Environmental Protection Agency—for environmental clearance; to Social Security Administration—for research.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and 5 x 8 file cards.

Retrievability: Name; case file number (in some cases).

Safeguards: Lockable file cabinets and desks.

Retention and disposal: Primarily active information; also mixed historical and active. Social Security appraisals are historical data. Disposal in accordance with HUD Handbook.

System manager(s) and address: Director, Single Family Development Division, HSSI, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Notification procedure: For inquiry about existence of records, contact the Privacy Officer at the appropriate location, in accordance with procedures in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Officer at the appropriate location. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate locations. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals; references; and HUD staff.

HUD/DEPT-5

System name: Architects and Engineers.

System location: Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Certified architects and engineers dealing with HUD, both directly and on a consultant basis.

Categories of records in the system: Applications containing personal data and qualifications for position sought and assignment logs and fees paid.

Authority for maintenance of the system: National Housing Act, as amended, 12 U.S.C. 1702 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses Paragraph of prefatory statement. Other routine uses: To General Accounting Office—investigation and annual audit; to the U.S Forest Service, Bureau of Indian Affairs, Corps of Engineers, HHS, and Farmers Home Administration for reference and information; to builders and other individuals dealing with HUD—for planning and specifications review.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Subject name.

Safeguards: Files are kept in file cabinets, in desks and on shelves. Access is limited by locks, by security checks, or by authorized individuals.

Retention and disposal: Most files are kept active and up-to-date. Some files are partly current and partly historical. Files are destroyed per regulation or stored at a federal records center one year after last date of commitment.

System manager(s) and address: Director, Single Family Development Division, HSSI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals and references.

HUD/DEPT-9

System name: Single-Family Casualty Damage Files.

System location: Field offices; for a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Mortgagors under HUD single-family insurance programs filing claims for repairs due to casualty damage on their insured homes.

Categories of records in the system: Inspection reports of repaired property; certifications of casualty damages/repairs; records of repairs made and their costs; and related correspondence.

Authority for maintenance of the system: Section 104(a), 105(a) Housing Act of 1964, (Pub. L. 88-560), 12 U.S.C. 1710, 1710(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: To Veterans' Administration for information on veterans' participation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name; case file.

Safeguards: Stored in lockable file cabinets.

Retention and disposal: Primarily active information, some mixed historical and active. Disposed of in accordance with HUD Handbook.

System manager(s) and address: Director, Single Family Loan Servicing Division, HSSI, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 4 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given an Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Record source categories: Mortgagors, mortgagees; inspectors; and contractors.

HUD/DEPT-10

System name: Construction Complaints Files.

System location: Field Offices; for a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Mortgagors of insured single-family homes who have filed construction complaints with HUD.

Categories of records in the system: Complaints regarding construction and defects; inspection reports; records of complaint status and disposition; compliance reports; related correspondence.

Authority for maintenance of the system: National Housing Act, as amended, 12 U.S.C. 1702 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses. To the person or firm complained about—for resolution of the complaint; to IRS—for investigation; to Farmers Home Administration, Veterans Administration; Better Business Bureau and local agencies—for notice of restriction of builders; to state agencies—for investigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Name of subject individual; case file number, property location.

Safeguards: Records filed in lockable file cabinets with access limited to authorized personnel.

Retention and disposal: Records are partly current and partly historical; disposal is in accordance with HUD Handbook.

System manager(s) and address: Director, Single Family Development Division, HSSI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subjects and other individuals, builders and contractors and their current and previous employees, credit bureaus and financial institutions; federal and non-federal agencies.

HUD/DEPT-15

System name:

Equal Opportunity Housing Complaints.

System location:

Housing discrimination files are located at the office where originated and may also be transferrd to associated area and/or regional offices, or the Headquarters Office. Additionally, closed files from this system may be temporarily located in a HUD contractor's office during a period of program evaluation. For a listing of HUD's offices with addresses see Appendix A.

Categories of individuals covered by the system:

Individuals filing housing discrimination complaints. Does not include files on HUD employee complaints regarding their employment. Notices regarding these inquiries under the Privacy Act are published by the U.S. Civil Service Commission.

Categories of records in the system:

Allegations of housing discrimination; names of complainant and persons or organizations complained about; investigation information; details of discrimination cases; compliance reviews; complaints under Titles VI, VIII and IX; conciliation files; correspondence; affidavits; complaints status reports. In mortgage discrimination cases, records include mortgage applications, credit reports and verification of income, employment and bank deposits.

Authority for maintenance of the system:

Title VIII of the Civil Rights Act of 1978, Sec. 810(a); 42 U.S.C 3610(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: To state and local government EO concerned agencies, the U.S. Department of Justice (including the FBI), the U.S. Department of Labor (including the Office of Federal Contract Compliance), U.S. Courts, the Veterans Administration, the Farmers Home Administration, complainants, respondents and attorneys—for investigation, preparing litigation, and monitoring compliance, to HUD contractor—for program evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records kept in lockable desks and file cabinets and magnetic tape/disc/ drum.

Retrievability:

Usually retrievable by name of complainant and, in some instances, by case file number.

Safeguards:

Manual records are stored in lockable file cabinets; computer facilities are secured and accessible only by authorized personnel, and all files are stored in a secured area. Technical restraints are employed with regard to accessing the computer and data files.

Retention and disposal:

HUD handbooks establish procedures for retention and disposition of records. Generally retained for two years, then transferred to Federal Records Centers for an additional five years.

System manager(s) and address:

Director, Office of Fair Housing Enforcement and Section 3 Compliance, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appears in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject and other individuals, Federal and non-federal government agencies, law enforcement agencies, credit bureaus, financial institutions, current and previous employers, corporations or firms, EO counselors and witnesses.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(2), all investigatory material, including conciliation files, in records contained in this System which meet the criteria of these sub-sections is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f) of the agency regulations in order for the Department's Fair Housing and Equal Opportunity and legal staffs to perform their functions properly.

HUD/DEPT-20

System name: Homeownership Assistance and Recertifications Application (HARAS).

System location: Headquarters.

Categories of individuals covered by the system: Participants in Section 235 Homeownership Assistance Program.

Categories of records in the system: Historical profile of participant group.

Authority for maintenance of the system: National Housing Act of 1934 Sec. 235(a)(f) (as amended by Sec. 101 of the Housing and Urban Development Act of 1968), 12 U.S.C. 1715z.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs of prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape/disc/drum.

Retrievability: Case file number.

Safeguards: Computer Facilities are secured and accessible only by authorized personnel, and all files are stored in a secured area. Technical restraints are employed with regard to accessing the computer and data files.

Retention and disposal: Records system is active and kept up-to-date.

System manager(s) and address: Director, Single Family Loan Servicing Division, HSSL, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at Headquarters. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Applications; recertifications; Single-family Statistical Reporting System.

HUD/DEPT-22

System name:

Housing Counseling.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A In addition to these offices, HUD-approved counseling agencies in many cities, both voluntary and paid by the Department, maintain files of this type. To determine whether such an agency exists in a particular city, contact the nearest HUD field office shown in Appendix A.

Categories of individuals covered by the system:

This system contains records of individuals who have been referred but not counseled; individuals who have been or are receiving counseling and assistance with housing problems and related family and financial problems, as well as individuals seeking general and consumer information.

Categories of records in the system:

This system contains records of dates of counseling, summaries of aid furnished the individual being counseled, correspondence with or on behalf of the individual being counseled, standard forms, letters and reports, purchase and financial data, medical history, employment information and problems, family composition, referral information and specific family and/or individual problems.

Authority for maintenance of the system:

Section 106(a) of the 1968 Housing Act; 12 U.S.C. 1701x.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: to HUD-approved counseling agency staff for the purpose of providing supportive counseling services to meet the short and long term needs of the individual being counseled. Financial institutions servicing HUD insured or assisted loans; local housing authorities; rental agents and managers; real estate brokers, agents and creditors have access only to current financial, employment and family composition data regarding persons currently being counseled. Data available to these institutions and individuals in such circumstances is limited to: Savings/checking/credit union account records, commercial credit reports, and credit account records with utility companies, retail stores, and other commercial credit sources; specific employment information concerning name and address of employer, length of service, and salary; and family composition data through the authorized counseling agency or HUD staff. Community service agencies to which the individual being counseled is referred for additional supportive services have limited access to information appropriate to the reason for referral only through authorized counseling agency staff.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored in paper files which are kept in standard lockable file cabinets and desks.

Retrievability:

Records are retrievable by name, case number, or property address.

Safeguards:

During the counseling process and the retention period, records are maintained in confidential files with access limited to those whose official duties require access.

Retention and disposal:

Counseling records are maintained by the counseling agency for as long as the individual being counseled participates in the program and up to five (5) years thereafter. The Department may maintain summary records of the counseling for as long as the individual being counseled lives in HUD-insured or assisted property.

System manager(s) and address:

Director, Single Family Loan Servicing Division, HSSL
Department of Housing and Urban Development
451 Seventh Street, SW
Washington, D.C. 20410

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officers, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Information in this system of records is: (1) Supplied directly by the individual, and/or (2) supplied by a member of the individual's family, and/or (3) supplied by mortgages, employers (past and present), creditors and credit reports, landlords (both public and private) and/or (4) supplied by sources to whom the individual being counseled has been referred, or has gone to for assistance, and/or (5) derived from information supplied by the individual, and/or (6) supplied by Department officials and/or (7) supplied by program counselors

HUD/DEPT-23

System name: Single-family Research files.

System location: Headquarters Office.

Categories of individuals covered by the system: Single-family mortgagors.

Categories of records in the system: Sample of single-family home cases for most recent five-year period.

Authority for maintenance of the system: National Housing Act of 1934 (Pub.L. 73-479), Sec. 209.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape/disc/drum.

Retrievability: Name; case file number; property address.

Safeguards: Computer facilities are secured and accessible only by authorized personnel, and all files are stored in a secured area. Technical restraints are employed with regard to accessing the computer and data files.

Retention and disposal: Records system is active and kept up-to-date.

System manager(s) and address: Chief, Single Family Insured Branch, Management Information Systems Division, HAI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at Headquarters. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A;

(ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individuals; financial institutions; federal government agencies.

HUD/DEPT-24

System name:

Investigation Files.

System location:

Headquarters.

Categories of individuals covered by the system:

HUD program participants and HUD employees involved in matters under Office of Inspector General cognizance, and HUD investigators.

Categories of records in the system:

Manual Files contain information concerning investigation of alleged irregularities in connection with HUD programs and include initial complaints filed against subject alleging violations, reports of investigation, findings of HUD officials, and recommendations and dispositions to be made. Manual and automated files contain case file number, status and disposition, investigator name and number, and staff hour usage.

Authority for maintenance of the system:

Inspector General Act of 1978, Pub. L. 95–452.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Use paragraphs in prefatory statement. Other routine uses: To Department of Labor—for investigative research; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related personnel management functions or manpower studies. Files may also be used to respond to general request for statistical information (without personal identification of individuals) under the Freedom of Information Act, or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders. The automated portion of the system is stored on magnetic tape/disc/drum.

Retrievability:

Manual records can be retrieved by name, investigation file number, case number; manual records containing investigator time accounting information can be retrieved by investigator name and investigator number. Information in automated records can be retrieved by case file number, investigator name, investigator number, and subject name.

Safeguards:

Manual Records are maintained in locked file cabinets or in metal file cabinets in secured rooms or premises with access limited to those persons whose official duties require access. Computer terminals are secured in controlled areas which are locked when unoccupied. Access to automated files is limited to authorized personnel who must use a password system to gain access.

Retention and disposal:

Records are primarily active; however, records are destroyed in conformance with Records Schedule 28 (Investigation Records), Appendix 28, HUD Handbook 2225.6.

System manager(s) and address:

Director, Administrative Support Staff, Office of the Inspector General, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, contact the Privacy Act Officer at the Headquarters location. This location is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting (i) in relation to contesting contents of records, the Privacy Act Officer at the Headquarters location, which is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individuals; other individuals; current or previous employers; credit bureau; financial institutions; corporations or firms; law enforcement agencies.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these sub-sections is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d),(e)(1), (e)(4)(G), (H), and (I) and (f) of the agency regulations in order for the Department's legal staff to perform its function properly.

HUD/DEPT-25

System name:

Legal Actions Files.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Litigants; potential and past claimants against the government.

Categories of records in the system:

Threatened, pending and past litigation involving HUD as a party; summons; writs; indictments; pleadings; decisions; legal memoranda; litigation reports; deposition; deficiencies on court judgments; notices of levy; settlement negotiations; legal rulings; claims against the government; employee claims.

Authority for maintenance of the system:

42 U.S.C 3533; 42 U.S.C. 3535.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: To Justice Department—information for purposes of litigation, and representation of HUD before the courts and performance of all legal work incident thereto; to HHS—for investigation and litigation; to IRS—for investigation, litigation and collection of levies; to Local Housing Authorities—for investigation and litigation; to local governments—for investigation and litigation; to parties to litigation—to provide status and facts in litigations; to private individuals and corporations—to assist co-defendants or to provide documents and information as required by the Federal Rules or Civil Procedure; various uses under the Freedom of Information Act; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 1681a(f) or the Federal Claims Collection Act of 1966 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file cabinets.

Retrievability:

Name, case names; case numbers assigned by courts.

Safeguards:

Records maintained in locked and lockable metal file cabinets with access limited to authorized personnel.

Retention and disposal:

Files are partly active and partly historical; disposal in accordance with HUD Handbook.

System manager(s) and address:

Director, Administrative Services Staff, Office of General Counsel, GA, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individuals concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by containing: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individuals; other individuals; current or previous employers; financial institutions; firms and corporations; Federal government agencies; non-Federal government agencies; and Federal, state, and local courts.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these subsections is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of the agency regulations in order for the Department's legal staff to perform its functions properly.

HUD/DEPT-28

System name:

Property Improvement and Manufactured (Mobile) Home Loans—Default.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Manufactured (mobile) home and home improvement loan debtors who are delinquent or in default on their loans.

Categories of records in the system:

Names, credit applications, Social Security Number where available, case histories of borrowers; records of payment; financing statements; notes; mortgages and other evidences of indebtedness; delinquent and defaulted loan records and account cards; collection and field reports; records of claims and chargeoffs; creditor requests for collection assistance; justifications for closing collection action; related correspondence and documents.

Authority for maintenance of the system:

Title I, Sec. 2, National Housing Act, 12 U.S.C. 1703; Federal Claims Collection Act of 1966 (Sec. 1, Pub. L 89-506).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Use paragraphs in prefatory statement. Other routine uses: Department of Justice—for prosecution of fraud revealed in the course of claims collection efforts and for the institution of suit or other proceedings to effect collection of claims; FBI—investigation of possible fraud revealed in the course of claims collection efforts; General Accounting Office—for audit purposes, private employers and Federal agencies—to facilitate collection of claims against employees; Office of Personnel Management—for offsetting retirement payments; consumer reporting and commercial credit agencies—to facilitate claims collection consistent with Federal Claims Collection Standards, 4 CFR 102.4: To financial institutions that originated or serviced loans—to give notice of disposition of claims; to title insurance companies—for payment of liens, to local recording offices—for filing assignments of legal documents, satisfactions, etc.; to bankruptcy courts—for filing of proofs of claim; to HUD Contractor—for debt servicing; to state motor vehicle agencies and Internal Revenue Service—to obtain current addresses of debtors; to Internal Revenue Service— for reporting of discharged indebtedness; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1698a(f) or the Federal Claims Collection Act of 1966, 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and on magnetic tape/disc/drum.

Retrievability:

Claim number, name or other identification number.

Safeguards:

Manual files are kept in lockable cabinets or rooms; automated records are maintained in secured areas. Access to either type of record is limited to authorized personnel.

Retention and disposal:

Files are partly active and partly historical and are disposed of in accordance with HUD Handbook 2225.6, Records Disposition Management: HUD Records Schedules.

System manager(s) and address:

Director, Office of Title I Insured Loans, HSI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Deparetment's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individual; current and previous employers; credit bureaus; financial institutions; business firms; federal and non-federal agencies; law enforcement agencies; title companies and abstractors; bankruptcy courts.

HUD/DEPT-29

System name:

Rehabilitation Grants and Loans Files.

System location:

Field offices; for a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Applicants who have applied for rehabilitation grants and loans.

Categories of records in the system:

Names of borrowers, builders, dealers and contractors; loan and grant applications and eligibility information; loan and grant documents; payment records; registration records; collection records; complaint records; related correspondence.

Authority for maintenance of the system:

Section 312, Housing Act of 1964, as amended (Pub. L. 88-560), 42 U.S.C. 1452(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: To local agencies—for monitoring and carrying out the program; to financial institutions—for providing supplemental rehabilitation funds; to credit reporting agencies, employers, financial institutions, and retail consumer credit grantors—for verification of employment and financial status; to Federal National Mortgage Association and loan servicers—for loan servicing; and to Internal Revenue Service—for reporting of discharged indebtedness.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and/or on magnetic tape/disc/drum.

Retrievability:

By name, property address and case file number of individual covered.

Safeguards:

Records stored in lockable file cabinets and technical restraints are employed with regard to accessing computer files.

Retention and disposal:

Records are primarily active with some historical information; disposal is in accordance with HUD Handbook.

System manager(s) and address:

Director, Rehabilitation Management Division, Office of Urban Rehabilitation and Community Reinvestment, Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. (ii) In relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Financial institutions; subject and other individuals; federal and non-federal agencies; firms, current and previous employers; law enforcement agencies; credit reporting agencies.

HUD/DEPT-32

System name:

Delinquent/Default/Assigned/Temporary Mortgage Assistance Payments (TMAP) Progam.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses see Appendix A. Office of HUD TMAP contractor will maintain some records on TMAP cases.

Categories of individuals covered by the system:

Mortgagors with HUD/FHA insured single-family mortgages that are delinquent or in default; mortgagors seeking assistance of prevent foreclosures; and mortgagors whose mortgages are held by HUD.

Categories of records in the system:

Notices of delinquent mortgages; requests for forebearance or assignment; forebearances or assignment reviews include date on mortgage amount and payments made, employment and income, debts and expenses, reasons for delinquency, recommendations and actions on requests; credit reports; forebearance agreements; deeds of trust; and related correspondence.

Authority for maintenance of the system:

Sec. 114(a), Housing Act of 1959, (Pub. L. 86-372), 12 U.S.C. 1702 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: To FHA—for insurance investigations; to IRS and GAO—for investigations; to state banking agencies—to aid in processing mortgagor complaints; to state housing and redevelopment agencies—for follow-up servicing; to mortgagees—to check on the status of cases and referrals of complaint; to mortgagees—to verify information provided by new loan applicants and to evaluate credit worthiness; to counseling agencies—for counseling; to Legal Aid—to assist mortgagors; to HUD TMAP contractor—for processing TMAP; to other Federal agencies for the purposes of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosure pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 31 U.S.C. 3701(a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and on magnetic tapes, drums, and discs.

Retrievability:

Name; case file number, property address.

Safeguards:

Records maintained in desks and lockable file cabinets; access to automated systems is by passwords and code identification cards access limited to authorized personnel.

Retention and disposal:

Obsolete records destroyed or shipped to Federal Records Center in compliance with HUD Handbook.

System manager(s) and address:

Director, Single Family Servicing Division, HSSI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16, If additional information or assistance is required contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individual; other individuals; current or previous employers; credit bureaus; financial institutions; other corporations or firms; Federal Government agencies; non-federal government (including foreign, state and local) agencies; law enforcement agencies.

HUD/DEPT-34

System name:

Pay and Leave Records of Employees.

System location:

All Department offices and the Department of Agriculture's National Finance Center. For a complete listing of Department offices, with addresses, see Appendix A. The address of the National Finance Center is P.O. Box 60000, New Orleans, LA 70160.

Categories of individuals covered by the system:

Current and separated HUD employees.

Categories of records in the system:

Name, Social Security Number and employee number, grade, step, and salary; organization, retirement or FICA data as applicable; Federal, state, and local tax deductions; regular and optional Government life insurance deduction(s), health insurance deduction and plan or code; Thrift Savings Plan participation and contribution; cash award data; jury duty data; military leave data; pay differentials; union dues deduction; allotments by type and amount; financial institution code and employee account number; leave status and data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including sign in/sign out sheets and related documentation; leave applications and reports; individual daily time reports; adjustments to time and attendance; overtime reports, supporting data, such as medical certificates; number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending dates; cost of living allowances; mailing address; co-owner and/or beneficiary of bonds; marital status and number of dependents; "Notification of Personnel Actions," Congressional requests or inquiries on the pay/leave problems of employees; court orders; personnel/payroll data requests; information about the problem received from the employee, an Administrative Office, or from a personnel employee, including supporting documentation; written correspondence pertaining to pay/leave problems; and related information or documentation.

Authority for maintenance of the system:

Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other Routine Uses: Transmittal of data to U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes. Annual reporting of W-2 statements to Internal Revenue Service, Social Security Administration, the individual, and taxing authorities of the States, the District of Columbia, territories, possessions, and local governments, except Social Security Numbers shall be reported only to such authorities that have satisfied the requirements set forth in Section 7(a)(2)(B) of the Privacy Act of 1974. To the Office of Personnel Management concerning pay, benefits, retirement deductions, and other information necessary for the office to carry on its Governmentwide personnel functions; to other Federal agencies to facilitate employee transfers; to the Department of Labor to process workers compensation injury claims; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset; to the Federal Retirement Thrift Investment Board to administer the Thrift Savings Plan; to the Department of Agriculture's National Finance Center for payroll/personnel action, receipt account, time and attendance, and administrative overpayment processing; to the Department of Agriculture, Office of Inspector General, for audits of the payroll personnel system; to Federal, State, and local agencies to assist in the enforcement of child and spousal support obligations; to State governments, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands to assist in processing unemployment claims under the Unemployment Compensation for Federal Employees Program.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15. U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966, 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manual, machine-readable, and magnetic media.

Retrievability:

Name of employee, Social Security Number.

Safeguards:

Physical, technical, and administrative security is maintained with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only. All payroll personnel, computer operators, programmers, and other staff are instructed and cautioned on the confidentiality of the records. Manual files are kept in lockable desks, file cabinets, and safes.

Retention and disposal:

Retained on site until after GAO audit, then disposed of or transferred to Federal Records Storage Centers in accordance with fiscal records program approval by GAO, as appropriate, or General Record Schedules of the General Services Administration. Generally, records on employee pay/leave problems are retained in the operating office for three years after a decision has been made on the problem. For payroll related records, the retention schedule is the same as that for employee pay and leave records. In offices not actually processing the pay/leave problem resolution, problem pay/leave records are retained for six months after a decision has been made on the problem, and then may be disposed of.

System manager(s) and address:

Director, Personnel Systems and Payroll Division, Office of Personnel and Training, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410.

For information, assistance, or inquiry about the existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with procedures in 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contracting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location (a list of all locations is given in Appendix A) and (ii) in relation to appeals of initial denials, the Department of Housing and Urban Development Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410.

Record source categories:

Subject individuals; supervisors; timekeepers; official personnel records; previous employers; or other Federal Government agencies; Headquarters or Regional Office personnel responsible for solving pay/leave/time problems; National Finance Center personnel responsible for solving pay/leave/time problems; Field Office personnel who have information about pay/leave problems, banks, other financial institutions, and courts.

HUD/DEPT-37

System name:

Personnel Travel System.

System location:

All Department offices maintain employee travel records. For a complete listing of offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

HUD personnel.

Categories of records in the system:

All travel records, including vouchers, requests, advances, receipts for requests, orders.

Authority for maintenance of the system:

Section 7(d) of the Department of Housing and Urban Development Act of 1965, Pub. L. 89-174, Budget and Accounting Act of 1950, 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: To Treasury--for payment of vouchers; vouchers and receipts are available to GAO and GSA for audit purposes and vouchers are verified by private transporters; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and on magnetic tape/disc/drum.

Retrievability:

Almost always retrievable by name, occasionally by Social Security number.

Safeguards:

Lockable desks or file cabinets; computer records are maintained in secure areas with access limited to authorized personnel and technical restraints employed with regard to accessing the records.

Retention and disposal:

Records are active and kept up-to-date. Files purged in accordance with HUD Handbook.

System manager(s) and address:

Director, Office of Finance and Accounting, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

For Transportation Requests: Director, Office of Administrative Services, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appeared in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of record, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individual and supervisors.

HUD/DEPT-42

System name:

Rent Subsidy Program Files.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Low-rent housing applicants and recipients under Section 236 and Rent Supplement and Section 221(d)(3) BMIR programs.

Categories of records in the system:

Applications for rent subsidy and recertifications include name, address, telephone number, race, household composition, employment data, detailed financial information, monthly rent payment and supplement calculations. HUD review and certification, description of rental unit participant will occupy; subsidized tenant move-out records; verification of employment, income and bank deposits, credit bureau reports; and related correspondence.

Authority for maintenance of the system:

Sec. 201 of the Housing and Community Development Amendments of 1978, (12 U.S.C. 1715z–1a), Sec. 101 of the Housing Act of 1965 (12 U.S.C. 1701s), and Section 101(11) of the Housing Act of 1961, (12 U.S.C. 171SL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: to General Accounting Office—for purposes of audit: To IRS—for investigation; to local and state housing authorities—for reference purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In files, folders and on magnetic tape/disc/drum.

Retrievability:

Name; case file number.

Safeguards:

Limited access; lock file cabinets; security checks and limited authorization to secured computer facilities.

Retention and disposal:

Files are active and kept up-to-date; partly current and partly historical. Files are either sent to GSA Federal Record Center for storage or disposed of in accordance with HUD Handbook.

System manager(s) and address:

Director, Program Planning Division, HMHO, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contacting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individual; other individuals; current or previous employers; credit bureaus; financial institutions; other corporations or firms; federal government agencies; non-federal government agencies; project and project managers.

HUD/DEPT-43

System name: Property Disposition Files.

System location: Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Mortgagors with HUD/FHA insured single-family homes who have had their mortgages foreclosed and properties acquired by HUD; individuals who have had their properties acquired by the Department of Defense and transferred to HUD; single-family mortgagors who defaulted on Section 312 loans and had their properties acquired by HUD, and potential buyers of HUD-held single-family properties.

Categories of records in the system: Documents pertaining to acquisition of foreclosed HUD/FHA insured single family homes and single-family homes transferred from the Department of Defense. The documents include names, addresses, loan amounts and payments, and reasons for default; leases and rental information if properties are rented; purchasers' family characteristics, income and employment histories, credit reports, sales contracts, and settlement costs; and related correspondence.

Authority for maintenance of the system: National Housing Act of 1937 as amended (Pub.L. 75–412).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: To IRS—for auditing income tax returns; to insurance companies—to file claims for amounts due; to mortgagees—to review the credit of prospective purchasers; to local public authorities—to check on acquisition, reuse and sales of real estate.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Case file number and property address.

Safeguards: Desk; lockable file cabinet; secured computer facilities. Access restricted.

Retention and disposal: Obsolete records are destroyed or sent to storage facility in accordance with HUD Handbook.

System manager(s) and address: Director, Single Family Preservation and Sales Division, HSSP, Office of Single Family Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals; other individuals; current or previous employers; credit bureaus; financial institutions; other corporations or firms; federal government agencies; non-federal (including foreign, state and local) government agencies; real estate brokers and agents.

HUD/DEPT-44

System name: Relocation Assistance Files.

System location: Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Displaced persons and relocation claimants who have filed grievances.

Categories of records in the system: Names of relocation claimants; family characteristics; personal and family financial data; relocation needs and problems; claims, documentation and evaluation of claims; recommendations; inquiries and grievances; responses to grievances; audits.

Authority for maintenance of the system: Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub.L. 91-646), Sec. 205(c)(2), 42 U.S.C. 4625.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: To GAO—for audit purposes; to the Department of Justice—for investigation and prosecution; to local public agencies—for processing, training and monitoring purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: By name and case file number of subject individual.

Safeguards: Stored in lockable file cabinets; access limited to authorized personnel.

Retention and disposal: Files are partly active and partly historical, disposal is in accordance with HUD Handbook.

System manager(s) and address: Director, Relocation and Real Estate Division, Office of Urban Rehabilitation and Community Reinvestment Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional informational or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Department at Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject and other individuals; current and previous employers; credit bureaus and financial institutions; firms federal and non-federal agencies.

HUD/DEPT-46

System name: Single Family Case Files.

System location: Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Individuals who have applied for HUD/FHA mortgage insurance in connection with single family housing programs of the department.

Categories of records in the system: Files contain standard records used for day-to-day maintenance of single-family mortgage cases, including daily case control, mortgage servicing, payment records, loan recommendations, information concerning borrower inability to make payments, cancellations and monies returned. Also, requests for refinancing income and employment information used in determination of applicant eligibility, insurance documents, sales agreements, conditional and firm commitments, owner requests for appraisals, property descriptions, appraisal and inspection reports; verification of employment and income; credit bureau reports; mortgage note and deed of trust; record of escrow account; correspondence and complaints.

Authority for maintenance of the system: National Housing Act as amended, 12 U.S.C. 1702 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs of prefatory statement. Other routine uses. To welfare agencies—for fraud investigation, to VA—for coordination with HUD in processing construction complaints. Congressional delegation—providing information concerning status of complaints. Complainants and attorneys representing them—review of complainant file for status and information. Builders and attorneys representing them—review of complainant file for status information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders and computerized tape, disc and drum.

Retrievability: Filed by name of individual and case file number.

Safeguards: Records maintained in locked and lockable file cabinets with access limited to authorized personnel.

Retention and disposal: Records are primarily active with some historical data. Inactive files are normally disposed after a two-year period.

System manager(s) and address: Director, Office of Single Family Housing, HSS, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individuals, current or previous employers, credit bureaus and financial institutions, corporations and firms and federal and non-federal government agencies.

HUD/DEPT-51

System name: Standards of Conduct File.

System location: Headquarters.

Categories of individuals covered by the system: HUD employees.

Categories of records in the system: Financial statements; statements of employment.

Authority for maintenance of the system: E.O. 11222, Sec. 305-402, 5 CFR 735.401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statements. Other routine uses to the Department of Justice, the Federal Bureau of Investigation, and the Internal Revenue Service for purposes of investigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and standard forms.

Retrievability: Name.

Safeguards: Locked file cabinets.

Retention and disposal: Files are active and kept up-to-date, partly current and partly historical.

System manager(s) and address: Assistant General Counsel for Finance and Administrative Law Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 126. If additional information or assistance is required, contact the Privacy Act Officer at Headquarters. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents or records, the Privacy Act Officer at the headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individuals.

HUD/DEPT-52

System name:

Privacy Act Requesters.

System location:

Headquarters and field offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system:

Individuals inquiring about existence of records about them, and requesting access to and correction of such records under provisions of the Privacy Act.

Categories of records in the system:

Personal identification of requester, nature of request, and disposition of the request by the Department.

Authority for maintenance of the system:

Privacy Act of 1974 (5 U.S.C. 552a(c)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file holders.

Retrievability:

Filed by case number and name of individual.

Safeguards:

Records maintained in locked and lockable file cabinets with access limited to authorized personnel.

Retention and disposal:

Records are primarily active. Inactive files are normally disposed of after a one-year period.

System manager(s) and address:

Director, Office of Information Policies and Systems, AI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents or records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of intitial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individuals.

HUD/DEPT-53

System name:

Consumer Complaint Handling System.

System location:

Headquarters and Field Offices.

Categories of individuals covered by the system:

Any member of the public who registers a complaint with HUD, including but not limited to: Community Development Block Grant (CDBG) recipients or individuals who use facilities or services supported by CDBG money; mortgagors; mortgagees having or seeking FHA-insured mortgages; tenants in FHA/insured projects; tenants in HUD-supported Low Rent Housing Projects; employees on HUD-assisted or insured construction projects and their unions; and public interest groups. Excluded are complaints from HUD employees arising out of the administration of internal HUD policies or procedures.

Categories of records in the system:

Complaints expressing dissatisfaction with a Departmental program, policy, or service. Name of complainant and action dates.

Authority for maintenance of the system:

Housing and Community Development Act of 1974, Pub. L. 93-383.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: The following may receive individual records to assist in the resolution of a complaint—State and local officials; public and private counseling agencies; building associations; developers; financial institutions holding HUD-insured mortgages; Federal, State and local Consumer Affairs offices; Consumer Protection agencies; State and local real estate and planning Commissions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders, cassettes, computerized tape, disc, and drum.

Retrievability:

Control number, date of receipt, name of complainant, date of complaint, date of final reply, nature of complaints HUD program category, assigned due date, date of interim reply, date of last update on the System, and HUD Office to which complaint was referred for action.

Safeguards:

Access to the automated System is accomplished by passwords and code identification codes limited in use to authorized personnel. Cassettes and computer/data files will be stored in computer facilities which are secured and accessible only to authorized personnel. File folders of pending and closed cases to be stored in lockable file cabinets.

Retention and disposal:

Manual file is closed upon final response and purged after one year. Automated records are maintained for five years. Complaints pending response will remain open and active until final response is sent. Obsolete records will be disposed of in accordance with HUD Handbook.

System manager(s) and address:

Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents or records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Department Privacy Appeals Officer, Office of General Counsel. Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Letters of complaints from individuals, telephone calls of complaints from individuals, and walk-in complaints from individuals, and consumer oriented agencies on behalf of individuals.

HUD/DEPT-54

System name: Parking Application Files.

System location: Headquarters.

Categories of individuals covered by the system: HUD employees and individuals from other Government agencies or private sector organizations who made application to park in HUD controlled space.

Categories of records in the system:

For the applicant and carpool members, names (print and signature), home addresses, office telephone numbers, social security numbers, year and make of vehicles, states (in which vehicles are registered) and tag numbers; for the applicant, room number, permit number, correspondence (organization) code, date of application, and priority group (handicapped, job requirements/executive officials (SES) or carpool/vanpool); for pool members, agency or company name; for administrative purposes, date issued, type of permit (new or replacement), and signature of approving official.

Authority for maintenance of the system: Federal Property Management Regulations, Section 101-20.104, Parking facilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other Routine Uses: To contractor for managing the parking facilities; to parking coordinators of Government agencies and private sector organizations for verification of employment and participation of pool.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: For manual records, legal size file foleder: for automated records, hard disk.

Retrievability: Name, address, social security number, permit number, vehicle tag number, and agency name or HUD correspondence (organization) code on either the applicant or pool members. .

Safeguards: Manual records are maintained in a lockable file cabinets with access limited to authorized personnel. Access to automated records is by password.

Retention and disposal: (1) For individuals issued permits, as long as permits are valid; (2) for individuals on the waiting list, approximately 2 years.

System manager(s) and address:

Chief, Mail and Transportation Branch, Office of Administrative and Management Services, ASBR, Department of Housing and Urban Development,451 Seventh Street, SW, Washington, DC 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Office at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Parking Permit Applicants.

HUD/DEPT-56

System name: Telephone Numbers of HUD Officials.

System location: Headquarters office.

Categories of individuals covered by the system: HUD senior staff officials.

Categories of records in the system: Name, title, home and office phone numbers.

Authority for maintenance of the system: Section 7(d) Department of HUD Act (42 U.S.C. 3535(d)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine uses paragraph in prefatory statement. Other routine uses: Executive Office of the President for identification and communication with key staff.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Bookcase of Director, Office of Executive Secretariat.

Retrievability: Office, name, and title.

Safeguards: Records are maintained in lockable room with access limited to authorized personnel.

Retention and disposal: Records are revised as personnel and telephone numbers change. When records are revised, older records are destroyed.

System manager(s) and address: Chief, Secretary's Correspondence Unit, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about the existence of records contact the Privacy Act officer at the headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act officer at the headquarters location. This location is given in Appendix A.

Contesting record procedures: The Departments' rules for contesting the contents of records and appealing initial denials, by the individuals concerned, appear in 24 CFR Part 16. If additional information or assistance is needed it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act officer at the headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD departmental privacy appeals officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals.

HUD/DEPT-58

System name: HUD Child Care Center Files.

System location: Headquarters Office.

Categories of individuals covered by the system: Children enrolled in the Center and their parents, staff of the Center, others who may be involved in special programs of the Center, and names of donors, applicants to the Center, and former enrollees.

Categories of records in the system: Information on the child, including parents' names and addresses and income; health records of children and staff; information work of staff including work history; current evaluation, and other work-related information; evaluation of the children's progress in the Center; names of donors and amounts of donations to the Center.

Authority for maintenance of the system: Housing Authorization Act of 1976, Pub.L. 94-375.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses in prefatory statement. Other routine uses: none.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file cabinets.

Retrievability: By name of child or name of staff member.

Safeguards: Records will be maintained in lockable file cabinets with access limited to authorized personnel of the Center.

Retention and disposal: Records of children who leave will be stored for one year; records of staff who leave will be stored for three years. At the expiration of those periods, records will be disposed of.

System manager(s) and address: Director, HUD Child Care Center, Department of HUD, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance or inquiry about the existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarters location. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records appealing initial denials, by the individuals concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Applicants; current and formerly enrolled children and their parents, current and former staff members; doctors and former institutions attended by the children.

HUD/DEPT-62

System name:

Claims Collection Records.

System location:

Headquarters and field offices. For a complete listing of these offices with addresses, see Appendix A.

Categories of individuals covered by the system:

Mortgagors; mortgagees; grant/project and loan applicants and recipients; HUD personnel; vendors; brokers; bidders; managers; tenants; builders; developers, contractors, and appraisers; employees on HUD/FHA projects; investors; subjects of audit; closing agents, former mortgagors and purchasers of HUD-owned properties.

Categories of records in the system:

Lease and loan collection register; schedules of payments receivable and received; premiums due; claim files; fee billing statements; escrow and Certificates of Deposit files; cash flow and budget control files; earnest money register; purchase order log; imprest fund; area managers' accounting records; restitution, maintenance, and market expenses; bills lading; vouchers; invoices; receipts mortgagors, builder's and contractor's financial statements, records and audit reports; deposit and receipt records; disbursements and cancelled checks; repurchases of mortgages; adjustments from recoveries, defaults, acquired home property records; sales closing papers; statements of accounts, tax records certifications and applications for assistance; and notice of court action.

Authority for maintenance of the system:

Federal Claims Collection Act of 1966 (Section 1, Pub. L. 89-508).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Users paragraphs in prefatory statement. Other routine uses; Justice Department—for prosecution of fraud revealed in the course of claims collection efforts, and for the institution of foreclosure or other proceedings to effect collection of claims; FBI—for investigation of possible fraud revealed in the course of claims collection efforts; General Accounting Office—for the institution of proceedings to effect collection of claims; other Federal Agencies—to facilitate collection of claims against Federal employees; Office of Personnel Management—for offsetting retirement payments; to commercial credit bureaus—to facilitate claims collection consistent with Federal Claims Collection Standards, 4 CFR 102.4; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset; to IRS for reporting of discharged indebteness.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966; 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Desks; safes; locked file cabinets.

Retrievability:

Name, Social Security Number, Project Name and Number, and Contract Number.

Safeguards:

Locked files; limited access by authorized individuals.

Retention and disposal:

GSA schedules of retention and disposal; destruction one year after statute of limitation expiration.

System manager(s) and address:

Department Claims Officer, Officer of Finance and Accounting, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, Contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A, (ii) in relation to appeals of initial denials, the HUD Department Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individuals; other individuals; current or previous employers; credit bureaus; financial institutions; private corporations or firms doing business with HUD; Federal and non-Federal government agencies; HUD personnel.

HUD/DEPT-63

System name: Secretary's Correspondence Control System.

System location: Headquarters.

Categories of individuals covered by the system: (a) Individuals who correspond with the Secretary or the Under Secretary, (b) Individuals whose correspondence has been referred by the White House, other Executive agencies, or members of Congress to the Secretary or Under Secretary for response.

Categories of records in the system: Correspondence identification (correspondent's name, address, organization, title, control number, date of letter, subject); status or response within the Department (office assigned, date due, current disposition); may include original correspondence, Department's response, referral letters, name and identification of person referring the correspondence, and copies of any enclosures.

Authority for maintenance of the system: Section 7(d) of the Department of Housing and Urban Development Act of 1965, Pub. L. 89-174.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs or prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders, on microfiche and on magnetic disc/tape.

Retrievability: Name, control number, name of person referring correspondence, return address on letters, organization name, title, date of letter, subject of letter, office assigned, date due, current disposition.

Safeguards: Manual files and microfiche are kept in folders and accessed only by authorized personnel, computer records are maintained in a secure area with access restricted to authorized personnel.

Retention and disposal: All files are maintained in the Executive Secretariat for three years and then are retained/disposed of in accordance with HUD Handbook 225.6, Schedule 62, dated March, 1976. All computerized information is maintained on magnetic disc for one year, then is copied to magnetic tape and stored in a secure location.

System manager(s) and address: Chief, Secretary's Correspondence Unit, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarters location. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A, (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject, referral source, Department employees involved in processing the correspondence.

HUD/DEPT-64

System name:

Congregate Housing Services Program Data Files.

System location:

Headquarters and Offices of HUD contractor.

Categories of individuals covered by the system:

Congregate Housing Services Program (CHSP) participants and selected applicants and non-applicants residing in grantee public housing and Section 202 (elderly) projects; and selected individuals residing in non-grantee public housing and Section 202 projects.

Categories of records in the system:

The files will contain the following records on CHSP participants: Name, project, file number, race/ethnic background, birthdate, sex, marital status, residential history and current living arrangement, number of minors residing, number of children/relatives nearby and family relationships, education, socioeconomic status (occupation/income), total housing expense, characteristics (special features) of the Housing unit, size of unit, sources of income and medical coverage, handicap type, disability type, medical status (recurrent/chronic medical problems) and hospitalization in past year, scores on activities of daily living tests, level of informal service supports (family, friends, etc.), current and previous services received by program type (formal services), dates of services receipt, service needs assessment, moral scale and satisfaction with services and residential arrangements, mental status (primarily, disorientation for elderly and cognitive functioning for mentally retarded), emotional status, social interaction assessment (participation in formal and informal activities, and interpersonal skills), cost and usage of CHSP and other services, project admission date, CHSP application date, physical functioning/health status when entered project, current physical functioning/health status, physical functioning/health status of entry to CHSP, Professional Assessment Committee (PAC) determinations and recommended services, physical functioning/health status when left CHSP, date moved out of project, physical functioning/health status when moved out of project, new address/telephone (or contact person), name/telephone of physician, legal guardian, or family member.

The files will contain the following records on CHSP applicants who were not selected as participants: Name, project, file number, race/ethnic background, birthdate, sex, marital status, resident history and current living arrangement, number of minors residing, number of children/relatives nearby and family relationships, education, socioeconomic status (occupation/income), total housing expense, characteristics (special features) of the housing unit, size of unit, sources of income and medical coverage, handicap type, disability types, medical status (recurrent/chronic medical problems) and hospitalization in past year, scores on activities of daily living tests, level of informal service supports (family, friends, etc.), current and previous services received by program type (formal services), dates of service receipt, service needs assessment, morale scale and satisfaction with services and residential arrangements, mental status (primarily, disorientation for elderly and cognitive functioning for mentally retarded), emotional status, social interaction assessment (participation in formal and informal activities, and interpersonal skills), cost and usage of services, project admission date, CHSP application date, physical functioning/health status when entered project, physical functioning/health status when applied to CHSP, current physical functioning/health status, PAC determinations, date moved out of project, physical functioning/health status when moved out of project, new address/telephone (or contract person), name/telephone of physician, legal guardian, or family member.

The files will contain the following records on residents of CHSP projects who did not apply to the program and residents of non-CHSP projects: Name, project, file number, race/ethnic background, birthdate, sex, marital status, residential history and current living arrangement, number of minors residing, number of children/relatives nearby and family relationships, education, socioeconomic status (occupation/income), total housing expense, characteristics (special features) of the housing unit, size of unit, sources of income and medical coverage, handicap type, disability type, medical status (recurrent/chronic medical problems) and hospitalization in past year, scores on activities of daily living tests, level of informal service supports (family, friends, etc.), current and previous services received by program type (formal services), dates of service receipt, service needs assessment, morale scale and satisfaction with services and residential arrangements, mental status (primarily, disorientation for elderly and cognitive functioning for mentally retarded), emotional status, social interaction assessment (participation in formal and informal activities, and interpersonal skills), cost and usage of services, project admission date, physical functioning/health status when entered project, current physical functioning/health status, date moved out of project, physical functioning/health status when moved out of project, new address/telephone (or contact person), name/telephone of physican, legal guardian, or family member.

Authority for maintenance of the system:

Title IV, Housing and Community Development Amendments of 1978 (Congregate Housing Services Act of 1978).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To HUD Contractor for conducting the evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and on magnetic tape/disc/drum.

Retrievability:

Name, project, file number, race/ethnic background, birth date, sex, marital status, residential history and current living arragement, number of minors residing, number of children/relatives nearby and family relationships, education, socioeconomic status (occupation/income), total housing expense, characteristics (special features) of the housing unit, size of unit, sources of income and medical coverage, handicap type, disability type, medical status (recurrent/chronic medical problems) and hospitalization in past year, scores on activities of daily living tests, level of informal service supports (family, friends, etc.), current and previous services received by program type (formal services), dates of service receipt, service needs assessment, morale scale and satisfaction with services and residential arrangements, mental status, emotional status, social interaction assessment (participation in formal and informal activities, and interpersonal skills), cost and usage of CHSP and other services, project admission date, CHSP application date, physical functioning/health status when entered project, current physical functioning/health status, physical functioning/health status at entry to CHSP, PAC determinations and recommended services, physical functioning/health status when left CHSP, date moved out of project, physical functioning/health status when moved out of project, new address/telephone (or contact person), name/telephone of physician, legal guardian, or family member.

Safeguards:

Manual files will be kept in lockable cabinets in a secured area, computer records will be maintained in a separate secured area. Access to either type of record will be limited to authorized personnel.

Retention and disposal:

Manual and automated records are retained in accordance with officially approved mandatory standards contained in HUD Handbooks 2225.6 and 2228.2.

System manager(s) and address:

Director, Elderly, Cooperative, Congregate and Health Facilities Divsion, HMME
Office of Mutifamily Housing Development
Department of Housing and Urban Development
451 Seventh Street, SW, Washington, D.C. 20410

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at Headquarters. This location is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD's Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Subject individuals, Professional Assessment Committee, Project Managers.

HUD/DEPT-65

System name: IDEAS Program Case Files.

System location: Headquarters and Field Offices.

Categories of individuals covered by the system: Federal employees who submit Ideas for improving Departmental efficiency and effectiveness.

Categories of records in the system: Idea subject, suggester name, Idea number, position title of suggester, title of organization to which suggester is assigned, location of suggester's organization, suggester's room number, suggester's phone number, statement of organization responsible for implementing ideas, statement of current use, statement of anonymity, statement of cash award waiver, agreement to waive further rights, description of Idea, Social Security Number, disposition of idea, cash award amount.

Authority for maintenance of the system: Government Employees Incentive Awards Act (45 U.S.C. 5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To news media to publicize awards; to other Government agencies for evaluation and possible adoption; in the case of cash awards, to Treasury to issue check; to printing firms to produce award certificates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders and on magnetic media.

Retrievability: Subject, name, number, originating organization, evaluating organization, disposition.

Safeguards: Paper files are kept in lockable cabinets in secured areas. Magnetic files will be maintained in a separate secured area. Access to either type of file is limited to authorized personnel.

Retention and disposal: Manual and automated records are retained in accordance with officially approved mandatory standards contained in HUD Handbooks 2225.6 and 2228.2.

System manager(s) and address: Director, Management Systems and Organization Division, Office of Organization and Management Information, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of record, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A, (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Suggesting individual, processing organization, evaluating organization.

HUD/DEPT-66

System name: Grievance Records.

System location: Headquarters and field offices. For a complete list of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Current or former HUD employees who have submitted grievances in accordance with Part 771 of OPM regulations (5 CFR Part 771), HUD regulations, or a negotiated procedure.

Categories of records in the system: The system contains records relating to grievances filed by agency employees. These case files contain all documents related to the grievance, including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits. This system includes files and records of internal grievance and arbitration systems that HUD may establish through negotiations with recognized labor organizations.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, E.O. 10577, 3 CFR 1954—1958 Comp., p. 218, EO 10987, 3 CFR 1959-1963 Comp., p. 519.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used: a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request and identify the type of information requested.

c. To disclose information to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to requesting the agency's decision on the matter.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

f. By the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2908.

g. By the agency maintaining the records or the OPM in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To disclose information to officials of the Merit Systems Protection Board, including the office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal

Employment Opportunity Commission when requested in performance of their authorized duties.

i. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To provide information to officials of labor organizations recognized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards: These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal: These records are disposed of 3 years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address: Director, Employee Relations and Equal Opportunity Division, Office of Personnel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed an individual may request access to the official copy of the grievance file.

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency ruling on the case, and will not include a review of the merits of the action, determination, or finding. The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Information in this system of records is provided: a. By the individual on whom the record is maintained.

b. By testimony of witnesses.

c. By agency officials.

d. From related correspondence from organziations or persons.

HUD/DEPT-67

System name: Employee Counseling and Occupational Health Records.

System location: Headquarters and field offices.

Categories of individuals covered by the system: Employees seeking assistance with alcoholism, drugs or emotional problems.

Categories of records in the system: Name, duty assignment, service to which the employee is referred, request, status memoranda from referral services and occasionally diagnosis.

Authority for maintenance of the system: Pub. L. 79-658, Employee Health Act, 1946, Pub. L. 89-183, Mental Health Act, 1963, Pub. L. 91-616, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act, 1970, Pub. L. 92-225, Drug Abuse Office and Treatment Act, 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To referral services to document referral, status.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are stored in a lockable cabinet in a secured area.

Retrievability: Name, service to which employee is referred.

Safeguards: Files will be kept in locked cabinets. Access will be strictly controlled, and limited to employees who must have access in order to perform their duties.

Retention and disposal: These records are disposed of in accordance with the mandatory General Records Schedules contained in HUD Handbook 2228.2.

System manager(s) and address: Director, Employee Relations and EEO Division, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Office at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. (ii) In relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject employee, referral service.

HUD/DEPT-68

System name: HUD Government Motor Vehicle Operators Records.

System location: Headquarters and field offices. For a complete listing of these offices with addresses, see Appendix A.

Categories of individuals covered by the system: HUD employees who are authorized to operate Government Motor Vehicles on official business.

Categories of records in the system: Standard Form 47, Physical Fitness Inquiry for Motor Vehicle Operators and HUD Form 87, Drivers Past Performance Record. These forms include name, Social Security Number, physical fitness data, and driving performance information.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, 41 U.S.C. 231, Pub. L. 81-152, Sec. 201.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Department of Transportation for verification with National Driver Register.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Desks; safes; locked file cabinets.

Retrievability: Name, Social Security Number.

Safeguards: Locked files; limited access by authorized individuals.

Retention and disposal:

Records are retained and disposed of in accordance with officially approved mandatory standards contained in HUD Handbooks 2225.6 and 2282.2.

System manager(s) and address: Director, Facilities Operations Division, ASB, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed regarding contesting record contents, contact the Privacy Act Office at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals, contact the HUD Department Privacy Appeals Officer, Officer of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individuals.

HUD/DEPT-69

System name:

Intergovernmental Personnel Act Assignment Records.

System location:

Headquarters and field offices.

Categories of individuals covered by the system:

Current or former employees of State or local governments, educational institutions, Indian tribal governments, or other eligible organizations who are presently on or have completed a detail with the Department of Housing and Urban Development (HUD) under the provisions of the Intergovernmental Personnel Act (IPAP).

Categories of records in the system:

These records are comprised of a copy of the assignee's IPA agreement between HUD and a State or local government, educational institution, Indian tribal government, or other eligible organization: Resume, personal qualifications statement, and background information about the assignee(s); records of interviews with assignee(s) and any required assignment evaluations and reports; and any documents which affect the status of the assignment such as extensions, amendments and terminations of contracts. The following data will be included in the records: Name of employee, social security number, date of birth, home address, agency employed by, job title, name and title of immediate supervisor, office telephone number, annual salary, date employed by agency, position to which assignment will be made, type of assignment, and period of assignment.

Authority for maintenance of the system:

The Intergovernmental Personnel Act of 1970 (84 Stat. 1909), 5 U.S.C. 3371-3376, and E.O. 11589.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Merit System Protection Board, Federal Labor Relations Authority, and the Equal Employment Opportunity Commission when requested in performance of authorized duties. To Office of Personnel Management for personnel inspections of the Department; to other Federal agenices for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Individual name.

Safeguards:

Files are kept in a secured area, with access limited to authorized personnel.

Retention and disposal:

Records are retained in accordance with officially approved mandatory standards contained in HUD Handbooks 2225.6 and 2228.2.

System manager(s) and address:

Director, Employment Planning and Standards Division, Office of Personnel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A, (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories:

Participating individual; individual's permanent employing organization; Department personnel files and records.

HUD/DEPT-71

System name:

Employee Identification File.

System location:

Headquarters and field offices.

Categories of individuals covered by the system:

Current Departmental employees, former employees who have retired from the Department, and other employees who have been separated for three months or less.

Categories of records in the system:

Categories of records in the system include employee photograph, name and signature, Social Security Number, identification card issuance date, identification card issuance date, identification card expiration date and separation date for retirees, type of appointment, date of birth, sex, height, weight, color of hair, color of eyes,a nd may include requisition for employee identification card.

Authority for maintenance of the system:

44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To Federal, State, local, and foreign authorities for use in conducting criminal, civil, or regulatory investigations, to verify the identity of an employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders or card files.

Retrievability:

By name.

Safeguards:

The records are kept in locked metal file cabinets.

Retention and disposal:

These records are retained and disposed of in accordance with approved schedules contained in HUD Handbook 2228.2, General Records Schedules.

System manager(s) and address:

Director, Office of Personnel and Training, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records of the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and

Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Individuals on whom the file is maintained.

HUD/DEPT-72

System name: Congressional Correspondence Files (Communication Control System).

System location: Headquarters and some field offices.

Categories of individuals covered by the system: (a) Individuals who correspond with the Secretary, Under Secretary, Assistant Secretary or Field Officials, (b) Individuals whose correspondence has been referred by the White House, other Executive agencies, or Members of Congress to the Secretary, Under Secretary, Assistant Secretary or Field Officials for responses.

Categories of records in the system: Correspondence identification (Member of Congress name, correspondent's name, address, state, district, organization, title, control number, return address, date of letter, subject); status of response within the Department (office assigned, date due, current disposition); may include original correspondence, Department's response, referral letters, name and identification of person referring the correspondence, and copies of any enclosures.

Authority for maintenance of the system: Section 7(d) of the Department of Housing and Urban Development Act of 1965, Pub.L. 89-174.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders and on magnetic disc/tape.

Retrievability: State, district, control number, name of Member of Congress, name of person referring correspondence, date of letter, subject of letter, office assigned, date due, current disposition.

Safeguards: Manual files are kept in folders in lockable file cabinets and accessed only by authorized personnel, computer records are maintained in a secure area with access restricted to authorized personnel.

Retention and disposal: All manual files are maintained for one year and then are retained/disposed of in accordance with HUD handbook 2225.6, HUD Records Schedules, Schedule 54.

All computerized information is maintained on magnetic disc for two years, then is copied to magnetic tape and stored in a secure location.

System manager(s) and address: Administrative Staff Assistant, Office of Legislation and Congressional Relations, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Department Appeals Officer, Office of General Counsel, Department of Housing and Urban Development 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject, referral source, Department employees involved in processing the correspondence.

HUD/DEPT-73

System name: Government Property on Personal Charge Files.

System location: Headquarters and field offices.

Categories of individuals covered by the system: Current or former HUD employees to whom HUD has issued government property on personal charge.

Categories of records in the system: These records are comprised of a copy of each receipt for government property on a charge, and a property receipt control register. The following data will be included in the records: Name of employee, office telephone number, room number and location, organization symbol, custody-receipt and property pass number, description of property, certificate of receipt and responsibility, dates of issuance, return due, follow-up, extension, and return and signature of chargeable employee.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, 40 U.S.C. Sec. 483.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records will be stored in card files and file folders.

Retrievability: Individual name.

Safeguards: Files are kept in a secured cabinet, with access limited to authorized personnel.

Retention and disposal: These records are disposed of in accordance with the Mandatory General Records Schedules contained in HUD Handbook 2228.2, General Records Schedules.

System manager(s) and address: Chief, Property and Supply Branch, Facilities Operations Division, Office of Administrative Services, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Department Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Individuals to whom property is charged.

HUD/DEPT-74

System name: Executive Emergency Cascade Alerting System.

System location: Headquarters and field offices.

Categories of individuals covered by the system: Current HUD employees who have been designated as executive emergency team members.

Categories of records in the system: These records are comprised of the employee's name, office and home telephone numbers, only.

Authority for maintenance of the system: These records are maintained under the authority of Executive Order No. 11490.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Individual name.

Safeguards: Distribution of team lists and access to team lists is restricted to authorized personnel.

Retention and disposal: These records are retained and disposed of in accordance with officially approved mandatory standards contained in HUD Handbooks 2225.6 (HUD Records Schedules) and 2228.2 (General Records Schedules).

System manager(s) and address: Director, Emergency Preparedness Staff, Office of Administrative Services, Department of Housing and Urban Development 451 Seventh Street, SW, Washington, D.C. 20410

Notification procedure: For information assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street. SW, Washington, D.C. 20410.

Record source categories: Subject individuals.

HUD/DEPT-75

System name: Priority Consideration/Special Reassignment Files.

System location: Headquarters and field offices.

Categories of individuals covered by the system: Current or former HUD employees who have been demoted without personal cause; who did not receive proper consideration in an earlier merit staffing action; or who are entitled to grade retention due to a demotion through no personal cause.

Categories of records in the system: These files are comprised of copies of the eligible's Personal Qualifications Statement (SF-171); the eligible's current performance evaluation, and where appropriate, an appraisal of potential; certification of the eligible for priority consideration/special reassignment; correspondence both from and to the eligible concerning priority consideration/special reassignment; documentation relating to non-selection of the eligible; and any other correspondence or documentation relating to the priority consideration/special reassignment process.

The following data will be included in the records: Name of employee, Social Security number, date of birth, home address, home telephone number, job title and occupational group (series), name and title of immediate supervisor, office telephone number, annual salary, and date employed by the agency, work experience, training, and related items.

Authority for maintenance of the system: 5 U.S.C. 3301; 5 U.S.C. 5364.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Merit Systems Protection Board, the Federal Labor Relations Authority, and the Equal Opportunity Commission, when requested in performance of authorized duties for examination of effectiveness of HUD priority consideration and special reassignment procedures; to the Office of Personnel Management for personnel inspections of the Department.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Individual name and occupational grouping (series).

Safeguards: Files are kept in a secured area, with access limited to authorized personnel.

Retention and disposal: Records are retained and disposed of in accordance with officially approved manadatory standards contained in HUD Handbooks 2225.6 (HUD Records Schedules), and 2228.2 (General Records Schedules).

System manager(s) and address: Director, Employment Planning and Standards Division, Office of Personnel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Appropriate location in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appeals initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Participating individual; Department personnel files and records.

HUD/DEPT-76

System name:

HUD Employee Locator Files.

System location:

Headquarters.

Categories of individuals covered by the system:

Current and former HUD employees.

Categories of records in the system:

These records are comprised of a copy of all Changes in Telephone Listings, SF-146, submitted by Administrative Officers. The following data will be included in the records: Name of employees, office telephone number, room number and location, and organization symbol.

Authority for maintenance of the system:

5 U.S.C. 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic media and file folders.

Retrievability:

Individual name.

Safeguards:

The automatic records and manual files are kept in a secured area, with access limited to authorized personnel.

Retention and disposal:

These records are disposed of in accordance with the Mandatory General Records Schedules contained in HUD Handbook 2228.2, General Records Schedules.

System manager(s) and address:

Director, Publications and Information Division, Office of Administrative Services, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarters location. This location is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contracting the Privacy Act Officer at the Headquarters location. This location is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Administrative Officers.

HUD/DEPT-77

System name:

Audit Planning and Operations System (APOS).

System location:

This system is located in Headquarters with regional and Headquarters data entry and access capabilities.

Categories of individuals covered by the system:

All OIG staff personnel and Independent Public Accountants (IPAs) who perform audits of HUD grantees where reports are subject to OIG review and acceptance.

Categories of records in the system:

The automated APOS contains name and ID number for OIG auditors and Independent Public Accountants (IPAs) who perform audits of HUD grantees where the audit reports are subject to OIG review and acceptance. Additionally, the APOS has records reflecting the OIG Annual Audit Plan (AAP) and detailed assignments within the AAP staffing and time goals for each assignment; records on direct time expenditures for each task within each assignment for each OIG employee; indirect time for each employee; information reflecting the receipt, review, acceptance and audit verification of IPA audits; and direct time charges to other categories of OIG audit work such as assistance to U.S. Attorneys, complaint handling and special projects.

Authority for maintenance of the system:

OMB Circular No. A-73, Revised, dated March 15, 1978, Audit of Federal Operations and Programs; Paragraphs 7 and 7(3). Inspectors General Act 1978. Pub. L. 95-452; Section 4, Paragraph (1) and Section 5(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and on magnetic media.

Retrievability:

Retrievability of records that refer to OIG personnel will be by HUD-OIG numbers and regional identifier. Retrieval of records that refer to Independent Public Accountants will be by the OIG designated numeric code for the IPA and regional identifier.

Safeguards:

Manual files are kept in lockable file drawers in secure areas. Technical restraints are employed with regard to accessing the automated records.

Retention and disposal:

Coded imput forms will be retained for one month, and upon successful execution of program, the forms will be destroyed. Printed computer output forms will be retained until the next cyclical run. The system report cycles will occur monthly, quarterly, or semiannually depending on the nature of the report. Stored data within the system will be retained for three years. At the end of that period the records will be removed and maintained for two more years on tape where they will be restored to the system only as needed. At the end of a 5-year period, records will be removed from tape library and destroyed.

System manager(s) and address:

Assistant Director, Audit Operations Division, Field Operations, 451 7th Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed, contact the Privacy Act Officer at the Headquarters location This location is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 24010.

Record source categories:

Subject individuals and other HUD employees. All records within the automated APOS will be developed from current existing records within Regional and Headquarters OIG sites. Time records will be reported for OIG personnel through their supervisors. IPA data will be reported by the IPA liaison groups within each OIG regional facility.

HUD/DEPT-80

System name:

Long Distance Telephone Call Detail System.

System location:

Headquarters.

Categories of individuals covered by the system:

Individuals who make long distance calls and individuals who receive calls placed from or charged to Department telephones.

Categories of records in the system:

Records may include: (1) The names and assigned organizations of individuals who make long distance calls from Department telephones and who receive long distance calls that are charged to Department telephones, (2) the names and addresses of called parties and parties who initiate collect calls from outside the Department which are charged to Department telephones, (3) records indicating assignment of telephone numbers to employees, and (4) records relating to location of telephones. Records may be maintained at worksites and used by supervisors in establishing responsibility for specific telephone calls. Subsequent inquiries may require that these records become a part of an investigation file.

Authority for maintenance of the system:

Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d); 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Use paragraphs in prefatory statement. Other routine uses: (1) To Members of Congress to respond to inquiries made on behalf of individual constituents that are record subjects; (2) to representatives of the General Services Administration or the Nation Archieves and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906; (3) in response to a request for discovery or for the appearance of a witness, to the extent that the subject matter in a pending judicial or administrative proceeding concerns the misuse of Government telephones or a violation of law or regulation; (4) in a proceeding before a court or adjudicative body to the extent that the records are relevant and necessary to the proceeding, and the proceeding concerns the misuse of Government telephones or a violation of law or regulation; and (5) to employees of the Department to determine their individual responsibility for telephone calls.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Disclosure may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701 (a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Various portions of the system are maintained on computer disks, magnetic tape, computer printout, and other hard copy.

Retrievability:

Records are retrieved by employee name or identification number, by name of recipient of telephone call, and by telephone number.

Safeguards:

Access to records is limited to Department employees who have an official need for the records. Internal procedures governing the use, transfer, and photocopying of the records have been established. Records in the system are maintained in a locked room and file folders are maintained in locked cabinets. Automated records are protected from unauthorized access through password identification procedures and other system-based protection methods.

Retention and disposal:

Records are disposed of as provided in the National Archives and Records Administration General Records Schedule 12.

System manager(s) and address:

Director, Communications and Space Management Division, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410.

Notification procedure:

For information, assistance, or inquiry about the existence of records, contact the HUD Headquarters Privacy Act Officrer in accorance with procedures in 24 CFR Part 16.

Record access procedures:

The Department's rules for providing access to records to the organization or individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the HUD Headquarters Privacy Act Officer.

Contesting record procedure:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the HUD Headquarters Privacy Act Officer; (ii) in relation to appeals of initial denials, the Department of Housing and Urban Development Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410.

Record source categories:

HUD telephone assignment records; call detail listing; and results of administrative inquiries relating to assignment of responsibility for placement of specific long distance calls.

HUD/CPD-1

System name:

Rehabilitation Loans-Delinquent/Default.

System location:

Headquarters and field offices. For a complete listing of these offices, see Appendix A.

Categories of individuals covered by the system:

Rehabilitation loan debtors who are delinquent or in default on their loans.

Categories of records in the system:

Names credit applications; Social Security Number where available, loan and grant documents, including promissory note, mortgage, deed of trust, title evidence; HUD Section 312 forms and documents; statement of account; sales contract; assumption agreements; compromise agreements; subordination agreements; repayment agreements; collection history, including correspondence with borrower, servicer, and LPA; credit reports; financing statements; records of foreclosures, charge-offs; judgments on the note and deficiency judgments; creditor requests for collection assistance; insurance documents; bankruptcy records and documents; property appraisals; rehabilitation contracts; correspondence with the LPA's and related correspondence and documents.

Authority for maintenance of the system:

42 USC 1452b, Housing Act of 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine use paragraphs in prefatory statement. Other routine uses: Department of Justice—for prosecution of fraud revealed in the course of claims collection efforts and for the institution of suit or other proceedings to effect collection of claims; FBI—for investigation of possible fraud revealed in the course of claims collection efforts; General Accounting Office—for audit purposes; private employers and Federal agencies—to facilitate collection of claims against employees; Office of Personnel Management—for offsetting retirement payments; consumer reporting and commercial credit agencies—to facilitate claims collection consistent with Federal Claims Collection Standards, 4 CFR 102.4; to financial institutions that serviced loans—to give notice of disposition of claims; to title insurance companies—for payment of liens; to local recording offices—for filing assignments of legal documents, satisfaction, etc.; to bankruptcy courts—for filing of proofs of claims; to local agencies that service HUD Section 312 (Rehabilitation) loans—to aid in the collection of delinquent loans, to counseling agencies—to provide counseling and assistance in the collection of delinquent Section 312 loans in accordance with HUD/DEPT-32 to state motor vehicle agencies and Internal Revenue Service—to obtain addresses of debtors; to Internal Revenue Service for reporting of discharged indebtedness; to other Federal agencies for the purpose of collecting debts owed to the Federal Government by administrative or salary offset.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1968 31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and on magnetic tape/disc/drum.

Retrievability:

Case file (Claim) number, name or other identification number.

Safeguards:

Manual files are kept in lockable cabinets or rooms; automated records are maintained in secured areas. Access to either type of record is limited to authorized personnel.

Retention and disposal:

Records are primarily active with some historical information; disposal is in accordance with HUD Handbook 2225.6, Appendix 66.

System manager(s) and address:

Director, Rehabilitation Management Division, CRM, Office of Urban Rehabilitation, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contracting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individuals; current and previous employers; credit bureau; financial institutions; business firms; federal and non-federal agencies; law enforcement agencies; title companies and abstractors; bankruptcy courts.

HUD/H-1

System name: Section 8 Lower-Income Rental Assistance Files.

System location: Many Field Offices. For a complete list of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Tenants in Section 8 Program except for existing housing and moderate rehabilitation programs.

Categories of records in the system: Applications filing for eligibility and recertification include names; addresses; social security numbers; telephone numbers; family characteristics; employment and income information; HUD review and certification; verification of employment, income and bank deposits; and related correspondence.

Authority for maintenance of the system: Housing Act of 1937 (Pub.L. 73-479); Housing and Community Development Act of 1974 (Pub.L. 93-383).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file cabinets.

Retrievability: Name of tenant.

Safeguards: Records are maintained in secured areas with access limited to authorized personnel.

Retention and disposal: Records system is active and kept up-to-date.

System manager(s) and address: Special Assistant to the Director, Office of MF Management and Occupancy (HMH), Department of

Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Office at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals; landlords; financial institutions; employers; and local housing authorities.

HUD/H-3

System name: Single Family Housing Monitoring System (F-39).

System location: Headquarters.

Categories of individuals covered by the system: Single-family mortgagors.

Categories of records in the system: Cross-indexes (used to support studies and investigations).

Authority for maintenance of the system: National Housing Act of 1934, Pub.L. 73-479, Sec. 209.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape/disc/drum.

Retrievability: Name; case file number.

Safeguards: Computer facilities are secured and accessible only by authorized personnel, and all files are stored in a secured area. Technical restraints are employed with regard to accessing the computer and data files.

Retention and disposal: Records system is active and kept up-to-date.

System manager(s) and address: Director, Management Information Systems Division, HAI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at Headquarters. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Record source categories: Subject individuals; current or previous employers; credit bureau; financial institutions; corporations; firms; federal government agencies.

HUD/H-5

System name: Single Family Computerized Homes Underwriting Management System (CHUMS).

System location: Headquaters and Field Offices. For a complete listing of these offices, with addresses, see Appendix A.

Categories of individuals covered by the system: Individuals involved in the HUD/FHA single-family underwriting process (builders, fee appraisers, fee mortgage credit examiners, fee inspectors, mortgagors, mortgagee staff appraisers, mortgagee staff underwriters) and HUD employees involved in the single family underwriting process (Directors, Deputy Directors of Housing Divisions, Service Office Supervisors, staff appraisers, staff mortgage credit examiners, architectual employees, receiving clerks, assignment clerks, commitment clerks, records clerks, and closing clerks).

Categories of records in the system: Case binders and automated files contain name, address, social security number or other identification number, and minority data (including racial/ethnic background, Minority Business Enterprise (MBE) Code, and sex for statistical tracking purposes) of the builder and mortgagor. These records also contain the name, address, social security number or other identification number, territory, workload, and minority data (including racial/ethnic background, Minority Business Enterprise (MBE) Code, and sex, for statistical tracking purposes) of fee appraisers, fee mortgage credit examiners, and fee inspectors. These records will further contain the name and identifying number of each mortgagee staff appraiser and each mortgagee staff underwriter and the territory and workload of those individuals.

Additionally, the automated files contain identification (name and social security or other identifying number) of HUD employees involved in the single family underwriting process (Directors, Deputy Directors of Housing Divisions, Service Office Supervisors, staff appraisers, staff mortgage credit examiners, architectural employees, receiving clerks, assignment clerks, commitment clerks, records clerks, and closing clerks).

Authority for maintenance of the system:

Section 203, National Housing Act, Pub. L. 73-479.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In case binders and on magnetic tape/disc/drum.

Retrievability:

Name, social security number or other identification number.

Safeguards:

Manual files are kept in lockable cabinets or rooms; automated records are maintained in secured areas. Access to either type of record is limited to authorized personnel.

Retention and disposal:

Manual records of insured cases are retained for 36 years and rejected cases are retained for one year. Computerized records of insured cases are retained for 10 years and rejected cases are retained for 3 years.

System manager(s) and address:

Director, Office of Single Family Housing, HSS, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

best copy available

Mortgagees, Appraisers, Inspectors, Mortgage Credit Examiners, Builders, Mortgagee Staff Apprasiers, Mortgagee Staff Underwriters, and HUD Employees.

HUD/H-6

System name: Section 518 Files.

System location: HUD field offices.

Categories of individuals covered by the system: HUD insured owners of one-to-four family dwellings who filed claims because of structural or other major defects found in their homes.

Categories of records in the system: Name, address, home phone number, property inspection report, disposition of claim information and other information pertinent to the claim.

Authority for maintenance of the system: Sec. 104, Housing and Urban Development Act of 1970 (Pub.L. 91-609), 12 U.S.C. 1735b.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Name, case number, and claim number.

Safeguards: Records are kept in lockable file cabinets with access limited to authorized personnel.

Retention and disposal: Records are retained for six years and then disposed.

System manager(s) and address: Chief, Special Programs Branch, HSSI, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals and Departmental records.

HUD/H-7

System name: Previous Participation Files.

System location: Headquarters and field offices.

Categories of individuals covered by the system: Principals (owners, general contractors, management agents, consultants and packagers) in HUD multifamily housing programs.

Categories of records in the system: Information concerning the Department's consideration/approval/disapproval of HUD multifamily housing program principals, including names and Social Security Numbers of principals; lists of prior HUD projects; summaries of financial, management, or operational difficulties with prior HUD projects (if any); indication of whether principals are or have been the subject of a government; investigation, other information relevant to the standards for previous participation approval; minutes of deliberative meetings.

Authority for maintenance of the system: Section 7(d), Department of HUD Act, 79 Stat. 670, (42 U.S.C. 3535(d)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs of prefatory statement. Other routine uses: To state and local governments participating in HUD housing programs as co-insurers or finance agencies—to assist in project application reviews.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in filing cabinets.

Retrievability: Name of principal and HUD project case number.

Safeguards: Files are kept in lockable cabinets. Access is limited to authorized personnel.

Retention and disposal: Records are primarily active; disposal is in accordance with HUD Handbook.

System manager(s) and address: Director, Participation and Compliance Division, HAC, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarters location. A list of all locations is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject individuals; HUD Field Offices; other governmental agencies.

HUD/H-8

System name:

Property Rental Files.

System location:

HUD field offices and HUD Area Management Brokers (AMBs) under the jurisdiction of the HUD field offices. For a complete listing of HUD field offices with addresses, see Appendix A.

Categories of individuals covered by the system:

Occupants (prospective, current and former) of the one to four-family properties which HUD expects to acquire, generally as a result of foreclosure, or has acquired or of which HUD expects to or has taken possession.

Categories of records in the system:

The files consist of documents pertaining to request for continued occupancy, rental applications, and rent payment. The documents will include leases and rental information if the properties are being conveyed or transferred to HUD subject to occupancy; individuals' names, addresses, telephone numbers, identifying numbers such as Social Security Numbers, (if available) income, circumstances of employment, expenses, liabilities, and personal and credit references, and records of rents paid and owned while tenants of HUD, and related correspondence. Also, pursuant to 24 CFR 203.670, where individuals seek to qualify for continued occupancy of a property to be conveyed to HUD because of an illness or injury, certain documentation pertaining to the validity of the individuals' claims will be maintained in these files.

Authority for maintenance of the system:

National Housing Act of 1937 as amended (Pub. L. 75-412).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine uses paragraph in prefatory statement. Other routine uses: Consumer reporting and commercial credit agencies—to facilitate claims collection consistent with Federal claims collection standards, 4 CFR 102.4, to State motor vehicle agencies and Internal Revenue Service—to obtain current addresses of debtors, to Internal Revenue Service—for reporting of discharged indebtedness, to attorneys hired by the Department in connection with eviction related activities—to facilitate eviction related activities, to collection agencies hired by the Department—to collect delinquent rent, to prospective purchasers of tenant occupied properties—to provide them rent rolls and income and expenses data, and to HUD's Area Management Brokers (AMBs)—to permit them to perform their property management responsibilities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders.

Retrievability:

Case file number, property address, and name of tenant.

Safeguards:

Desk, file cabinets kept in a secured area. Access restricted to authorized individuals.

Retention and disposal:

Obsolete records are destroyed or sent to storage facility in accordance with HUD Handbook 2225.6, Records Disposition Management; HUD Records Schedules.

System manager(s) and address:

Director, Single Family Property Disposition Division, HSSP, Office of Single Family Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Office at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Subject individuals, other individuals, current or previous employers credit bureaus, financial institutions, other corporations or firms, Federal government agencies; non-Federal (including foreign, State and local) government agencies, real estate brokers and agents.

HUD/H-9

System name:

Project Management Records.

System location:

Headquarters, HUD Field Offices and HUD Project Managers under the jurisdiction of the HUD Field Offices. For a complete listing of HUD Field Offices with addresses, see Appendix A.

Categories of individuals covered by the system:

Occupants (prospective, current and former) of multifamily projects (five or more units) which HUD expects to acquire, generally as a result of foreclosure, or has acquired, or of which HUD expects to or his taken possession.

Categories of records in the system:

The records consist of documents pertaining to rental applications and rent payments. The documents include leases and rental information if the projects are being conveyed or transfered to HUD; individuals' names, addresses, telephone numbers, identifying numbers such as Social Security Numbers (if available). income, circumstances or employment, expenses, liabilities, and personal and credit references, and records of rents paid and owed while tenants of HUD, and related information and correspondence.

Authority for maintenance of the system:

U.S. Housing and Urban Development Act, 42 U.S.C. 3535(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine uses paragraph in prefatory statement. Other routine uses: Consumer reporting and commercial credit agencies—to facilitate claims collection consistent with Federal claims collection standards, 4 CFR 102.4; to Federal, State and local governmental organizations—to verify information provided on applications to expose fraudulent information; to HUD project managers—to permit them to perform their property management functions; to State motor vehicle agencies and Internal Revenue Service—to obtain current addresses to debtors; to attorneys hired by the Department in connection with eviction related activities—to facilitate eviction related activities; to collection agencies hired by the Department—to collect delinquent rent; and to prospective purchasers of tenant occupied properties—to provide them rent rolls and income and expense data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders and on magnetic tape, disc or drum.

Retrievability:

Project number, project address, and name of tenant.

Safeguards:

Desk, file cabinets kept in secured area. Computer records are maintained in secured areas with technical restraints employed with regard to accessing records. Access restricted to authorized individuals.

Retention and disposal:

Records are disposed of in accordance with the mandatory General Records Schedules contained in HUD Handbook 2228.2. Project records are conveyed to purchasers of the projects.

System manager(s) and address:

Director, Office of Multifamily Financing and Preservation, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedure:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories:

Tenants and prospective tenants.

HUD/H-11

System name:

Multifamily Tenant Certification System.

System location:

Headquarters and Field Offices. For a listing of Field Offices with addresses, see 24 CFR Part 16, Appendix A.

Categories of individuals covered by the system:

Individuals receiving housing assistance from HUD under one of the following programs: Section 8, Public/Indian Housing, Section 236 (including Section 236 RAP), Rent Supplement, Section 221(d)3 BMIR, and Section 202/8.

Categories of records in the system:

The system includes identification data such as name, Social Security Number (if available), alien registration information, address, and tenant unit number; financial data such as income and contract rent; tenant characteristics such as number in family, sex of family member and minority code; unit characteristics such as number of bedrooms; geographic data such as county code and census tract; and related information including information used to verify data in the system.

Authority for maintenance of the system:

United States Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq., and the Housing and Community Development Amendments of 1981, Pub. L. 97-35, 95 Stat. 408.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine uses paragraph in prefatory statement. Other routine uses: Federal, State, and local agencies—to verify the accuracy and completeness of the data provided; to HUD contractor—for processing certifications/recertifications; to the Social Security Administration and the Immigration and Naturalization Service—to verify alien status.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folder, magnetic tape/disk/drum.

Retrievability:

Name of tenant, address, Social Security or other identification number.

Safeguards:

File folders, automated records kept in a secured area. Access restricted to authorized individuals.

Retention and disposal:

Obsolete records are destroyed or sent to storage facility in accordance with HUD Handbook 2225.6, Records Disposition Management: HUD Records Schedules.

System manager(s) and address:

Director, Housing Information and Statistics Division, Office of Managment, Housing, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC. 20410.

Notification procedure:

For information, assistance, or inquiry about the existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials by the individual concerned appear 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410.

Record source categories:

Subject individuals, other individuals and organizations, Federal, State, and local agencies. PHA staff/private owners/management agents.

HUD/H-12

System name:

Housing Compliance Files.

System location:

Headquarters and Field Offices. For a listing of Field Offices with addresses, see Appendix A.

Categories of individuals covered by the system:

Individuals (those who are direct or indirect recipients of HUD funds; participants, or contractors with participants in HUD-FHA assisted or sponsored programs including mortgage insurance programs; or former HUD employees as set forth in 24 CFR 24.3 and 24.4(f)) who have been suspended, or debarred, or who are ineligible to participate in HUD programs or those whose records of participation in HUD programs are being reviewed for possible administrative actions to exclude them from further participation.

Categories of records in the system:

The files consist of correspondence and documents pertaining to the subject individuals. The documents may include indictments, information, judgments, audits, inspector general investigation reports, credit reports and financial reports, FBI reports, copies of HUD/FHA forms, and related documentation and information. The individual's name, family composition, marital status, arrest record address, telephone number (if provided), and employment information are also included in the file together with documentary evidence and/or narrative details relative to improper or illegal acts or omissions of participants in HUD programs.

Authority for maintenance of the system:

Department of HUD Act, 79 Stat. 670; (42 U.S.C. 3535(d)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See routine uses paragraph in prefatory statement. Other routine uses: Attorneys who are in private practice who represent clients who have files in the system—to permit the attorneys to properly represent their clients; to licensing and regulatory agencies as well as to other Federal and State government agencies—to provide information concerning individuals who have been administratively sanctioned by HUD.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file folders.

Retrievability:

Name of individual.

Safeguards:

Desks, file cabinets kept in a secured area. Access restricted to authorized individuals.

Retention and disposal:

Obsolete records are destroyed or sent to storage facility in accordance with HUD Handbook 2225.6, Records Disposition Management: HUD Records Schedules.

System manager(s) and address:

Director, Participation and Compliance Division, Office of Management, HAC, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry abut the existence of records, contact the Privacy Act Officer at the appropriate location, in accordance with 24 CFR Part 16. A list of all locations is given in Appendix A.

Record access procedures:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed in relation to contesting the contents of records, it may be obtained by contacting the Privacy Act Officer at the appropriate location. A list of all locations is given in Appendix A. If additional information or assistance is needed in relation to appeals of initial denials, it may be obtained by contacting the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington D.C. 20410.

Record source categories:

HUD employees, Federal government agencies, non-Federal government agencies, Federal and State courts, financial institutions (mortgagees), State, and local law enforcement, regulatory or licensing agencies.

HUD/PD&R-6

System name: Real Estate Settlement Costs Research Files.

System location: Contractor's office (contractor to be selected).

Categories of individuals covered by the system: Buyers and sellers of individual residential housing units and owners of such units who refinance their mortgages.

Categories of records in the system: A national sample of Uniform Settlement Statement (HUD-1) forms, showing detailed settlement items and their costs, will be collected from mortgage lenders. Follow-up phone calls to buyers and sellers listed on these forms may be made to elicit information on settlement procedures, costs, etc. In addition, a sample of HUD-1 forms and good-faith estimates of settlement costs will be collected from mortgage lenders in about 12 different housing markets across the country; a sub-sample of these forms will be used to draw a sample of buyers and sellers, as well as a sample of attorneys, mortgage lenders, and others who provided services to buyers and sellers in the sub-sample; this subsample will then be interviewed. Data will also be collected from national experts in this subject area and from State and local bodies which regulate providers of settlement services.

Authority for maintenance of the system: Sec. 14, Real Estate Settlement Procedures Act of 1974 (88 Stat. 1724), 12 U.S.C. 2613.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Routine Uses paragraphs in prefatory statement. Other routine uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and magnetic tape/disc/drum.

Retrievability: Name or address of subject;

Safeguards: Manual records stored in lockable file cabinets and desks in lockable rooms and computer facilities are in secured areas. Access to both types of records are limited to authorized personnel.

Retention and disposal: All records will be maintained for five years until the end of 1983.

System manager(s) and address: Director, Housing and Demographic Analysis Division, TEH, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the headquarters location. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410.

Record source categories: Subject individual, mortgage lenders, title insurance firms, real estate agents, title abstractors, land surveyors and other providers of settlement services.

HUD/PD&R-7

System name: Section 8 Program Research Data Files.

System location: Cambridge, Massachusetts.

Categories of individuals covered by the system: Families selected in a random sample of applicants to and certificate holders in the Section 8 Program.

Categories of records in the system: Name, address, household demographics (age, sex, race, income, handicapped status), condition of pre-program housing unit, program status information.

Authority for maintenance of the system: Sec. 501, 502, Housing and Urban Development Act of 1970 (Pub.L. 91-609), 12 U.S.C. 1701z-1, 1701z-2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders and on magnetic tape/disc/drum.

Retrievability: Name, address.

Safeguards: Manual files will be kept in lockable cabinets in a secured area; computer records will be maintained in a separate secured area. Access to either type of record will be limited to authorized personnel.

Retention and disposal: All personal identifiers will be destroyed approximately four months after the system is created.

System manager(s) and address: Director, Housing Assistance Research Division, TRH Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence or records, contact the Privacy Act Officer at the Headquarters locations, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, Contact the Privacy Act Officer at the Headquarters location. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

HUD/PD&R-8

System name: Income Certification Evaluation Data Files.

System location: Applied Management Science, Inc., Silver Spring, MD.

Categories of individuals covered by the system: Tenants of Section 8, Section 236, and Public Housing projects. Projects are selected randomly from a subset of all projects, tenants are selected randomly from the set of all tenants of the projects thus sampled.

Categories of records in the system: Family identification (name, address, Social Security Number), household demographics (age, sex, family size, income and income sources, length of tenure), verification of income data.

Authority for maintenance of the system: Title V, Section 501 and 502 of the Housing and Community Development Act of 1970, Pub.L. 91-609.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine uses paragraphs of prefatory statement. Other routine uses: Applied Management Science, Inc.—to carry out objectives of study, Social Security Administraiton, Internal Revenue Service—to verify income data.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders and on magnetic tape/disc/drum.

Retrievability: Name, address, Social Security Number.

Safeguards: Manual files will be kept in lockable cabinets in a secured area; computer records will be maintained in a separate secured area. Access to either type of record will be limited to authorized personnel.

Retention and disposal: All records will be destroyed at the completion of the study.

System manager(s) and address: Director, Evaluation Division, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410.

Notification procedure: For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR Part 16. This location is given in Appendix A.

Record access procedures: The Department's rules for providing access to records to the individual concerned appear in 24 CFR Part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarter's location. This location is given in Appendix A.

Contesting record procedures: The Department's rules for contesting the contents of records and appealing initial denials, by the individual concerned, appear in 24 CFR Part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) In relation to contesting contents of records, the Privacy Act Officer at the Headquarters location. This location is given in Appendix A; (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410.

Record source categories: Subject, Income Sources.

Appendix A–Officials to Receive Inquiries, Requests for Access and Requests for Correction or Amendment

Headquarters

Privacy Act Officer, 451 Seventh Street SW, Washington, D.C. 20410.

Region I

Regional Administrator, Room 800, John F. Kennedy Federal Building, Boston, Mass. 02203.

Area Offices

Area Manager, Bulfinch Building, 15 New Cardon Street, Boston, Mass. 02114.

Area Manager, One Hartford Square West, Suite 204, Hartford, Conn. 06106.
Service Offices
Supervisor, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, New Hampshire 03103.
Supervisor, Room 330, John O. Pastore Federal Building, U.S. Post Office, Kennedy Plaza, Providence, Rhode Island 02903.
Valuation/Endorsement Stations
Supervisor, Federal Building and Post Office, 202 Harlow Street, Bangor, Maine 04401.
Supervisor, 110 Main Street, P.O. Box 989, Burlington, Vermont 05402.
Region II
Regional Administrator, 26 Federal Plaza, New York, New York 10278.
Area Offices
Area Manager, Mezzanine, Statler Building, 107 Delaware Avenue, Buffalo, New York 14202.
Area Manager, 26 Federal Plaza, New York, New York 10278.
Area Manager, Military Park Building, 60 Park Place, Newark, New Jersey 07102.
Area Manager, Gateway I Building, Raymond Plaza, Newark, New Jersey 07102.
Caribbean Area Office
Area Manager, Federico Degetau Federal Building, U.S. Courthouse, Room 428, Carlos E. Chardon Avenue, Hato Ray, Puerto Rico 00918.
Service Offices
Supervisor, Leo W. O'Brien Federal Building, North Pearl Street and Clinton Avenue, Albany, New York 12207.
Supervisor, The Parkade Building, 519 Federal Street, Camden, New Jersey 06103.
Region III
Regional Administrator, Curtis Building, 6th and Walnut Streets, Philadelphia, Pa. 19106.
Area Offices
Area Manager, The Equitable Building, Third Floor, 10 North Calvert Street, Baltimore, Maryland 21202.
Area Manager, Curtis Building, 625 Walnut Street, Philadelphia, Pa. 19106.
Area Manager, Fort Pitt Commons, 445 Fort Pitt Blvd., Pittsburgh, Pennsylvania 15219
Area Manager, 701 East Franklin Street, Richmond, Virginia 23219
Area Manager, Universal North Building, 1875 Connecticut Avenue NW, Washington, D.C. 20009
Service Office
Supervisor, Kanawha Valley Building, Capitol and Lee Streets, Charleston, West Virginia 25301
Valuation/Edorsement Station
Supervisor, 800 Delaware Avenue, Rm. 511, Wilmington, Delaware 19801
Region IV
Regional Administrator, Richard B, Russell, Federal Building, 75 Spring Street, SW, Atlanta, Georgia 30303
Area Offices
Area Manager, Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, Georgia 30303
Area Manager, Daniel Building, 15 South 20th Street, Birmingham, Alabama 35233
Area Manager, Strom Thurmond Federal Building, 1835—45 Assembly Street, Columbia, South Carolina 29201
Area Manager, 415 N. Edgeworth Street, Greensboro, North Carolina 27401
Area Manager, Federal Building, 100 W. Capital St., Suite 1016, Jackson, Mississippi 39201
Area Manager, 325 West Adams St., Jacksonville, Florida 32202
Area Manager, One Northshore Building, 1111 Northshore Drive, Knoxville, Tennessee 37919
Area Manager, 539 Fourth Avenue, P.O. Box 1044, Louisville, Kentucky 40201.
Service Officers
Supervisor, 3001 Ponce de Leon Boulevard, Coral Gables, Florida 33134
Supervisor, Federal Building, 700 Twiggs Street, Post Office Box 2097, Tampa, Florida 33601
Supervisor, Federal Office Building, 80 N. Hughey, Orlando, Florida 32801
Supervisor, 28th Floor, 100 North Main Street, Memphis, Tennessee 38103
Supervisor, One Commerce Place, Suite 1600, Nashville, Tennessee 37219
Region V
Regional Administrator, 300 South Wacker Drive, Chicago, Illinois 60606
Area Offices
Area Manager, 547 West Jackson Boulevard, Chicago, Illinois 60606.
Area Manager, New Federal Building, 200 North High Street, Columbus, Ohio 43215
Area Manager, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, Michigan 48226
Area Manager, 151 North Delaware Street, Indianapolis, Indiana 46207
Area Manager, Henry S. Reuss Federal Plaza, Suite 1380, 310 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.
Area Manager, Bridge Place Building 220 Second Street, South, Minneapolis, Minnesota 56401
Service Offices
Supervisor, Federal Office Building, 550 Main Street, Cincinnatti, Ohio 45202
Supervisor 777 Rockwell Avenue, Cleveland, Ohio 44114
Supervisor, Northbrook Building Number II, 2922, Fuller Avenue, NE, Grand Rapids, Michigan 49505
Supervisor, Genesee Bank Building, Room 200, 352 South Saginaw Street, Flint, Michigan 48502
Valuation/Endorsement Station
Supervisor, Lincoln Tower Plaza, 524 South Second Street, Springfield, Illinois 52701
Region VI
Regional Administrator, 221 West Lancaster St., Fort Worth, Texas 76113
Area Offices
Area Manager, 1403 Slocum St., P.O. Box 2005D Dallas, Texas 75207
Area Manager, Savers Building, 320 West Capitol, Suite 700, Little Rock, Arkansas 72201
Area Manager, 1661 Canal Street, New Orleans, Louisana 70112.
Area Manager, 200 N.W. Fifth Street, Oklahoma City, Oklahoma 73102
Area Manager, Washington Square, 800 Dolorosa, Post Office Box 9163, San Antonio, Texas 78285
Service Offices
Supervisor, 221 West Lancaster St., Fort Worth, Texas 76113
Supervisor, Two Greenway Plaza East, Suite 200, Houston, Texas 77046
Supervisor, Federal Building, 1205 Texas Avenue, Lubbock, Texas 79406
Supervisor, 625 Truman Street, NE, Albuquerque, New Mexico 87110
Surpervisor, New Federal Building 500 Fannin St., Shreveport, Louisiana 71101
Supervisor, 440 South Houston Avenue, Tulsa, Oklahoma 74127
Region VII
Regional Administrator, Professional Bldg., 1103 Grand St., Kansas City, Missouri 64106
Area Offices
Area Manager, Professional Building 1103 Grand St., Kansas City, Missouri 64106
Area Manager, Braiker/Brandeis Building, 210 South 16th Street, Omaha, Nebraska 68102.
Area Manager, 210 North Tucker Boulevard, St. Louis, Missouri 63101
Service Office
Supervisor, Room 259, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309
Valuation/Endorsement Station
Supervisor, 444 S.E., Quincy Street, Topeka, Kansas 66683
Region VIII
Regional Administrator, Executive Tower Building, 1405 Curtis Street, Denver, Colorado 80202
Service Office
Supervisor, Federal Office Bldg. Rm. 340, Drawer 10095, 301 South Park, Helena, Montana 59626
Supervisor, 125 South State Street, Salt Lake City, Utah 84111
Valuation/Endorsement Stations
Supervisor, Federal Office Building, 100 East B St., P.O. Box 580, Casper, Wyoming 82602
Supervisor, Federal Building, 653 2nd Avenue North, P.O. Box 2483, Fargo, North Dakota 58108
Supervisor, 119 Federal Building, U.S. Couthouse, 400 S. Phillips Avenue, Sioux Falls, South Dakota 57102
Region IX
Regional Administrator, 450 Golden Gate Avenue, Post Office Box 36003, San Francisco, California 94102

Area Offices
Area Manager, Federal Building, 300 Ala Moana Boulevard, Suite 3318, Honolulu, Hawaii 96650
Area Manager, 2500 Wilshire Boulevard, Los Angeles, California 90057
Area Manager, 1 Embarcadero Center, Suite 1600, San Francisco, California 94111
Service Offices
Supervisor, 34 Civic Center Plaza, Room 614, Santa Ana, California 92701
Supervisor, Federal Office Building, 880 Front Street, San Diego, California 92188
Supervisor, Arizona Bank Building, 101 N. First Avenue, Suite 1800, Phoenix, Arizona 85003
Supervisor, Arizona Bank Building, 33 North Stone Avenue, Tucson, Arizona 85701
Supervisor, 1315 Van Ness Street, Fresno, California 93721
Supervisor, 545 Downtown Plaza, Post Office Box 1978, Sacramento, California 95809
Supervisor, 1050 Bible Way, Post Office Box 4700 Reno, Nevada 89505
Supervisor, 720 South 7th St., Las Vegas, Nevada 89101
Region X
Regional Administrator, 3003 Arcade Plaza Building 1321 Second Avenue, Seattle, Washington 96101
Area Offices
Area Manager, 701 C Street, Box 64, Anchorage, Alaska 99513
Area Manager, 520 Southwest 6th Avenue, Portland, Oregon 97204
Area Manager, Arcade Plaza Building, 1321 Second Avenue, Seattle, Washington 96101
Service Offices
Supervisor, 419 North Curtis Road, Boise, Idaho 83705.
Supervisor, West 920 Riverside Avenue, Spokane, Washington 99201

Title 24-Housing and Urban Development

Subtitle A-Office of the Secretary, Department of Housing and Urban Development

PART 16—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

Sec.
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16.2 Definitions.
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Appendix A—Officials to receive inquiries, requests for access and requests for correction or amendment.

Authority: Department of Housing and Urban Development Act, Pub. L. 89–174 Sec. 7(d), 42 U.S.C. 3535(d), Privacy Act of 1974, Pub. L. 93–579, 5 U.S.C. 552(a).

Source: 40 FR 39729, Aug. 28, 1975, unless otherwise noted.

Nomenclature Changes: 42 FR 49811, Sept. 28, 1977.

§ 16.1 Purpose and statement of policy.

(a) The purpose of this part is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93–579), 5 U.S.C. 552(a). The main objectives are to facilitate full exercise of rights conferred on individuals under the Act and to insure the protection of privacy as to individuals about whom the Department maintains records in systems of records under the Act. The Department accepts the responsibility to act promptly and in accordance with the Act upon receipt of any inquiry, request or appeal from a citizen of the United States or an alien lawfully admitted for permanent residence into the United States, regardless of the age of the individual.

(b) Further, the Department accepts the obligations to maintain only such information on individuals as is relevant and necessary to the performance of its lawful functions, to maintain that information with such accuracy, relevancy, timeliness and completeness as is reasonably necessary to assure fairness in determinations made by the Department about the individual, to obtain information from the individual to the extent practicable, and to take every reasonable step to protect that information from unwarranted disclosure. The Department will maintain no record describing how an individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(c) This part applies to all organizational components in the Department in order to assure the maximum amount of uniformity and consistency within the Department in its implementation of the Act.

(d) The Assistant Secretary for Administration shall be responsible for carrying out the requirements of this part, for issuing such orders and directives internal to the Department as are necessary for full compliance with the Act, and for effecting publication of all required notices concerning systems of records.

(e) Requests involving information pertaining to an individual which is in a record or file but not within the scope of a System of Records Notice published in the **Federal Register** are outside the scope of this Part. Requests for departmental records will be considered to determine whether processing under this Part, Part 15, or both is most appropriate, notwithstanding the requester's characterization of the request, as follows:

(1) *A Privacy Act request from an individual for records about that individual and not contained in a Privacy Act Records System* shall be considered a Freedom of Information Act request and processed under HUD Freedom of Information Act regulations (24 CFR Part 15) to the extent that the requester has provided the Department a reasonable description of the documents requested. When a request for records is so considered as a Freedom of Information Act request, the Privacy Act Officer shall promptly refer it to the head of the appropriate organizational unit in accordance with HUD FOIA Regulations and shall advise the requester that time of receipt for processing purposes will be the time when it is received by the appropriate official.

(2) *A Freedom of Information Act request from an individual for records about that individual contained in a Privacy Act Records System* shall be processed as follows:

(i) If the request in whole or in part contains a reasonable description of any HUD document, processing shall be carried out pursuant to HUD FOIA Regulations.

(ii) If the request in whole or in part does not contain a reasonable description of any HUD document, but does provide sufficient information under HUD Privacy Act Regulations to undertake a Privacy Act Records System search, the Department will provide full access under HUD Privacy Act Regulations. In this situation, the Department will comply with the deadlines for response set forth in the Privacy Act and HUD implementing regulations. In that event, an explanation will be provided to the requester advising that the request did not contain a reasonable description of a particular document as required under the FOIA and offering to process the request under FOIA procedures upon receipt of additional information sufficient to constitute a "reasonable description."

(3) *A Freedom of Information Act request from an individual for records about another individual contained in a Privacy Act Records System* shall be processed as follows: When an exemption under subsection (b) of FOIA is available, the Privacy Act governs the public interest determination under HUD FOIA Regulations (24 CFR 15.21) and compels the withholding of such documents unless (1) the subject of those records consents to their release or (2) disclosure comes within one of the subsections of 5 U.S.C. 552a(b).

(4) *A Privacy Act request from an individual for records about another individual* shall be processed as follows:

Except as expressly permitted in this Part, requests by persons who are not the subject of a record contained in a Privacy Act Records System shall be outside the scope of this Part. If the request satisfies the Freedom of Information Act requirement that requested records be reasonably described, the Privacy Act Officer shall consider the requests as a Freedom of Information Act request and shall proceed as in § 16.1(e)(1) above.

[40 FR 39729, Aug. 28, 1975, as amended at 41 FR 13917, Apr. 1, 1976]

§ 16.2 Definitions.

(a) The definitions of 5 U.S.C. 552a apply in this part.

(b) As used in this part:

(1) "Act" means the "Privacy Act of 1974," Pub. L. 93–579.

(2) "Privacy Act Officer" means those officials, identified in Appendix A to this Part, or their designees, who are

authorized to receive and act upon inquiries, requests for access, and requests for correction or amendment.

(3) "Privacy Appeals Officer" means the General Counsel.

(4) "Department" means the Department of Housing and Urban Development.

(5) "Inquiry" means a request by an individual that the Department determine whether it has any record in a system of records which pertains to that individual.

(6) "Request for access" means a request by an individual or guardian to inspect and/or copy and/or obtain a copy of a record which is in a particular system of records and which pertains to that individual.

(7) "Request for correction or amendment" means the request by an individual or guardian that the Department change (either by correction, addition or deletion) a particular record in a system of records which pertains to that individual.

(8) "Appeal" means the request by an individual that an initial denial of a request for access or correction or amendment by that individual be reviewed and reversed.

[40 FR 39729, Aug. 28, 1975, as amended at 41 FR 13917, Apr. 1, 1976]

§ 16.3 Procedures for inquiries.

(a) Any individual, regardless of age, may submit an inquiry to the Department. The inquiry should be made either in person at the office of, or by mail addressed to, the appropriate Privacy Act Officer. Although oral requests may be honored, a requester may be asked to submit his request in writing. The envelope containing the request and the letter itself should both clearly indicate that the subject is a "PRIVACY ACT INQUIRY". If an individual believes the Department maintains a record pertaining to that individual but does not know which system of records might contain such a record and/or which organizational component of the Department maintains the system of records, assistance in person or by mail will be provided at the first address listed in Appendix A to this part.

(b)(1) An inquiry should contain the following information:

(i) Name, address and telephone number of the individual making the request;

(ii) Name, address and telephone number of the individual to whom the record pertains, if the requesting individual is either the parent of a minor or the legal guardian of the individual to whom the record pertains;

(iii) A certified or authenticated copy of documents establishing parentage or guardianship;

(iv) Whether the individual to whom the record pertains is a citizen of the United States or an alien lawfully admitted for permanent residence in to the United States;

(v) Name of the system of records, as published in the **Federal Register**;

(vi) Location of the system of records, as published in the **Federal Register**;

(vii) Such additional information as the individual knows will or believes might assist the Department in responding to the inquiry (for example, the individual's past or present relationship with the Department, e.g. mortgagor, contractor, employee, including relevant dates) and in verifying the individual's identity (for example, date of birth, place of birth, names of parents, place of work, dates of employment, position title, etc.);

(viii) Date of inquiry; and,

(ix) Individual's signature.

The Department reserves the right to require compliance with the identification procedures appearing at § 16.4(d) where circumstances warrant.

(2) In compliance with 5 U.S.C. 552a (e)(3) each individual supplying the information in accordance with paragraph (b)(1) of this section hereby is informed that:

(i) The authority authorizing solicitation of the information is 5 U.S.C. 552a, disclosure is voluntary, and no penalty is attached for failure to respond;

(ii) The principal purpose for which the information is intended to be used is processing the inquiry under the Act;

(iii) The routine uses which may be made of the information are the routine uses appearing as a prefatory statement to the Department's notice of systems of records published in the **Federal Register**; and,

(iv) The effects of not providing all or any part of the information may delay, or in some cases make impossible, the Department's processing of the action on the request under the Act.

(3) If, having been made aware of the contents of paragraph (b)(2) of this section, an individual submits the information listed in paragraph (b)(1) of this section, he or she will be deemed to have made the submission on a purely voluntary and consentual basis.

(c) When an inquiry is misdirected by the requester, or not addressed as specified in paragraph (a) of this section, the Department official receiving same shall make reasonable effort to identify, and promptly refer it to, the appropriate Privacy Act Officer and the time of receipt for processing purposes will be the time when it is received by the Privacy Act Officer.

(d) When an inquiry fails to provide necessary information as set forth in paragraph (b) of this section, the requester shall be advised that the time of receipt for processing purposes will be the time when the additional necessary information is received by the Privacy Act Officer.

(e) Each inquiry received shall be acted upon promptly by the responsible Privacy Act Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days, the Privacy Act Officer shall send an acknowledgement during that period providing information on the status of the inquiry. The Privacy Act Officer may indicate that additional information would facilitate processing or that further information is necessary to process the inquiry.

§ 16.4 Requests for access; requirements.

(a) Any individual, regardless of age, may submit to the Department a request for access to records of the Department. The request should be made either in person at the Office of, or by mail addressed to, the responsible Privacy Act Officer identified in Appendix A to this part. Although oral requests may be honored, a requester may be asked to submit his request in writing. The envelope containing the request and the letter itself should both clearly indicate that the subject is a PRIVACY ACT REQUEST FOR ACCESS TO RECORDS.

(b) When a request for access to records is misdirected by the requester, or not addressed as specified in paragraph (a) of this section, the Department official receiving same shall promptly refer it to the appropriate Privacy Act Officer and the time of receipt for processing purposes will be the time when it is received by that official.

(c) When a request for access to records fails to provide necessary information as set forth in paragraph (b) of this section the requester shall be advised that the time of receipt for processing purposes will be the time when the additional necessary information is received by the appropriate official.

(d) The requirements for identification of individuals seeking access to records are as follows:

(1) *In person.* Each individual making a request in person shall be required to present satisfactory proof of identity.

The means of proof, in the order of preference and priority, are:

(i) A document bearing the individual's photograph (for example, passport or military or civilian identification card);

(ii) A document bearing the individual's signature (for example, driver's license, social security card, unemployment insurance book, employer's identification card, national credit card and professional, craft or union membership card); and

(iii) A document bearing neither the photograph nor the signature of the individual (for example, a Medicaid card). In the event the individual can provide no suitable documentation of identity, the Department will require a signed statement asserting the individual's identity and stipulating that the individual understands the penalty provision of 5 U.S.C. 552a(i)(3). That penalty provision also appears at § 16.13(a). In order to avoid any unwarranted disclosure of an individual's records, the Department reserves the right to determine to its satisfaction whether proof of identity offered by any individual is adequate.

(2) *Not in person.* If the individual making a request does not appear in person before a Privacy Act Officer, the information set forth in § 16.3(b)(1) and a certificate of a notary public or equivalent officer empowered to administer oaths must accompany the request. The certificate within or attached to the letter must be substantially in accord with the following text: City of
—————————— County of
——————————: ss
—————————— (name of
individual), who affixed (his) (her) signature below in my presence, came before me, a —————————— (title), in and for the aforesaid County and State, this ———————— day of ————————, 19—, and established (his) (her) identity to my satisfaction. My commission expires ——————————.

——————————————————————.

(signature)

If the request follows inquiry under § 16.3, this should be indicated in the request for access in order to facilitate processing.

(3) *Parents of minors and legal guardians.* An individual acting as the parent of a minor or the legal guardian of the individual to whom a record pertains shall establish his or her personal identity in the same manner prescribed in either paragraph (d) (1) or (2) of this section. In addition, such other individual shall establish his or her representative capacity of parent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of a legal guardian of an individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the court's order. A parent or legal guardian may act only for a living individual, not for a decedent. A parent or legal guardian may be accompanied during personal access to a record by another individual, provided the provisions of § 16.5(e) are satisfied.

(e) When the provisions of this part are alleged to have the effect of impeding an individual in exercising his or her right to access, the Department will consider alternative suggestions from an individual making a request, regarding proof of identity and access to records.

(f) An individual shall not be required to state a reason or otherwise justify his or her request for access to a record.

§ 16.5 Disclosure of requested information to individuals.

(a) Each request received shall be acted upon promptly by the responsible Privacy Act Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days due to unusual circumstances, the Privacy Act Officer shall send an acknowledgement during that period providing information on the status of the request and asking for such further information as may be necessary to process the request. "Unusual circumstances" shall include circumstances where a search for and collection of requested records from inactive storage, field facilities or other establishments are required, cases where a voluminous amount of data is involved, instances where information on other individuals must be separated or expunged from the particular record, and cases where consultations with other agencies having a substantial interest in the determination of the request are necessary.

(b) Grant of access—(1) *Notification.* An individual shall be granted access to a record pertaining to him or her, except where the provisions of § 16.6 apply. The Privacy Act Officer shall notify the individual of such determination and provide the following information:

(i) The methods of access, as set forth in paragraph (b)(2) of this section;

(ii) The place at which the record may be inspected;

(iii) The earliest date on which the record may be inspected and the period of time that the records will remain available for inspection and/or the estimated date by which a copy of the record could be mailed and the estimate of fees pursuant to § 16.12;

(iv) The fact that the individual, if he or she wishes, may be accompanied by another individual during personal access, subject to procedures set forth in paragraph (e) of this section; and

(v) Any additional requirements needed to grant access to a specific record.

(2) *Methods of access.* The following methods of access to records by an individual may be available depending on the circumstances of a given situation:

(i) Inspection in person may be had in the office specified by the Privacy Act Officer granting access during hours indicated by the Privacy Act Officer;

(ii) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the Privacy Act Officer determines that a suitable facility is available, that the individual's access can be properly supervised at the facility, and that transmittal of the records to that facility will not unduly interfere with operations of the Department or involve unreasonable costs, in terms of both money and manpower; and

(iii) Copies may be mailed at the request of the individual, subject to payment of the fees prescribed in § 16.12. The Department, at its own initiative, may elect to provide a copy by mail, in which case no fee will be charged the individual.

(c) The Department shall supply such other information and assistance at the time of access as to make the record intelligible to the individual.

(d) The Department reserves the right to limit access to copies and abstracts of original records, rather than the original records. This election would be appropriate, for example, when the record is in an automated data media such as tape or disc, when the record contains information on other individuals, and when deletion of information is permissible under exemptions (for example, 5 U.S.C. 552a(k)(2)). In no event shall original records of the Department be made available to the individual except under the immediate supervision of the Privacy Act Officer or his designee. It is a crime to conceal, mutilate, obliterate, or destroy any record filed in a public office, or to attempt to do any of the foregoing, Title 18, United States Code, 2701(a).

(e) Any individual who requests access to a record pertaining to that individual may be accompanied by another individual of his or her choice. "Accompanied" includes discussion of the record in the presence of the other individual. The individual to whom the record pertains shall authorize the presence of the other individual by a signed and dated document which includes the name of the other individual and specifically describes the record to which access is sought. The other individual shall sign the authorization in the presence of the Privacy Act Officer. An individual shall not be required to state a reason or otherwise justify his or her decision to be accompanied by another individual during personal access to a record.

§ 16.6 Initial denial of access.

(a) *Grounds.* Access by an individual to a record which pertains to that individual will be denied only upon a determination by the Privacy Act Officer that:

(1) The record is subject to an exemption under § 16.14, § 16.15 or to an exemption determined by another agency noticing the system of records;

(2) The record is information compiled in reasonable anticipation of a civil action or proceeding; or

(3) The individual unreasonably has failed to comply with the procedural requirements of this part.

(b) *Notification.* The Privacy Act Officer shall give notice of denial of access to records to the individual in writing and shall include the following information:

(1) The Privacy Act Officer's name and title or position;

(2) The date of the denial;

(3) The reasons for the denial, including citation to the appropriate section of the Act and/or this part;

(4) The individual's opportunities, if any, for further administrative consideration, including the identity and address of the appropriate Privacy Appeals Officer. If no further administrative consideration within the Department is available, the notice shall state that the denial is administratively final; and,

(5) If stated to be administratively final; and, within the Department, the individual's right to judicial review under 5 U.S.C. 552a(g)(1), as amended by 5 U.S.C. 552a(g)(5).

[40 FR 39729, Aug. 28, 1975, as amended at 42 FR 20297, Apr. 19, 1977]

§ 16.7 Administrative review of initial denial of access.

(a) Review shall be available only from a written denial of a request for access issued under § 16.6(a) (2) or (3) and only if a written request for review is filed within thirty calendar days after the issuance of the written denial.

(b) A request for review shall be addressed to the Privacy Appeals Officer identified in the initial denial, which official is authorized to make final determinations. The envelope containing the request for review and the letter itself should both clearly indicate that the subject is a PRIVACY ACT REQUEST FOR REVIEW.

(c) When a request for review is misdirected by the requester, or not addressed as specified in paragraph (b) of this section, the Department official receiving same shall promptly refer it to the Privacy Appeals Officer and the time of receipt for processing purposes will be the time when it is received by the appropriate official.

(d) When a request for review fails to provide necessary information as set forth in paragraph (e) of this section, the requester shall be given reasonable opportunity to amend the request and shall be advised that the time of receipt for processing purposes will be the time when the additional necessary information is received by the appropriate official.

(e) The filing of a request for review may be accomplished by mailing to the Privacy Appeals Officer a copy of the request for access, if in writing; a copy of the written denial issued under § 16.6; and a statement of the reasons why the initial denial is believed to be in error. The appeal shall be signed by the individual.

(f) No hearing will be allowed in connection with administrative review of an initial denial of access.

(g) The Privacy Appeals Officer shall act upon the appeal and issue a final determination in writing not later than thirty days (excluding Saturdays, Sundays and holidays) from the date on which the appeal is received; provided, that the Privacy Appeals officer may extend the thirty days upon deciding that a fair and equitable review cannot be made within that period, but only if the individual is advised in writing of the reason for the extension and the estimated date by which a final determination will issue, which estimated date should not be later than the sixtieth day (excluding Saturdays, Sundays and holidays) after receipt of the appeal unless there exist unusual circumstances, as described in § 16.5(a).

(h) The decision after review will be in writing, will constitute final action of the Department on a request for access, and, if the denial of the request is in whole or part upheld, the Department shall notify the person making the request of his right to judicial review under 5 U.S.C. 552a(g)(1), as amended by 5 U.S.C. 552a(g)(5).

§ 16.8 Request for correction or amendment to record.

(a) Any individual, regardless of age, may submit to the Department a request for correction or amendment of a record pertaining to that individual. The request should be made either in person at the office of, or by mail addressed to, the Privacy Act Officer who processed the individual's request for access to the record. Although an oral request may be honored, a requester may be asked to submit his or her request in writing. The envelope containing the request and the letter itself should both clearly indicate that the subject is a PRIVACY ACT REQUEST FOR CORRECTION OR AMENDMENT.

(b) When a request for correction or amendment is misdirected by the requester, or not addressed as specified in paragraph (a) of this section, the Department official receiving same shall make reasonable effort to identify, and promptly refer it to, the appropriate Privacy Act Officer and the time of receipt for processing purposes will be the time when it is received by the appropriate official.

(c) When a request for correction or amendment fails to provide necessary information as set forth in paragraph (e) of this section, the requester shall be given reasonable opportunity to answer the request and shall be advised that the time of receipt for processing purposes will be the time when the additional necessary information is received by the appropriate official.

(d) Since the request, in all cases, will follow a request for access under § 16.4, the individual's identity will be established by his or her signature on the request.

(e) A request for correction or amendment should include the following:

(1) A specific identification of the record sought to be corrected or amended (for example, description, title, date, paragraph, sentence, line and words);

(2) The specific wording to be deleted, if any;

(3) The specific wording to be inserted or added, if any, and the exact place at which it is to be inserted or added; and

(4) A statement of the basis for the requested correction or amendment, with all available supporting documents and materials which substantiate the statement.

(f) The provisions of § 16.3(b) (2) and (3) apply to the information obtained under paragraph (e) of this section.

§ 16.9 Agency procedures upon request for correction or amendment of record.

(a)(1) Not later than ten days (excluding Saturdays, Sundays and holidays) after receipt of a request to correct or amend a record, the Privacy Act Officer shall send an acknowledgment providing an estimate of time within which action will be taken on the request and asking for such further information as may be necessary to process the request. The estimate of time may take into account unusual circumstances as described in § 16.5(a). No acknowledgment will be sent if the request can be reviewed, processed, and the individual notified of the results of review (either compliance or denial) within the ten days. Requests filed in person will be acknowledged at the time submitted.

(2) Promptly after acknowledging receipt of a request, or after receiving such further information as might have been requested, or after arriving at a decision within the time prescribed in § 16.9(a)(1), the Privacy Act Officer shall either:

(i) Make the requested correction or amendment and advise the individual in writing of such action, providing either a copy of the corrected or amended record or a statement as to the means whereby the correction or amendment was effected in cases where a copy cannot be provided; or,

(ii) Inform the individual in writing that his or her request is denied and provide the following information:

(A) The Privacy Act Officer's name and title and position;

(B) The date of the denial;

(C) The reasons for the denial, including citation to the appropriate sections of the Act and this part; and,

(D) The procedures for appeal of the denial as set forth in § 16.10, including the name and address of the Privacy Appeals Officer. The term "promptly" in this § 16.9 means within thirty days (excluding Saturdays, Sundays and holidays). If the Privacy Act Officer cannot make the determination within thirty days, the individual will be advised in writing of the reason therefor and of the estimated date by which the determination will be made.

(b) Whenever an individual's record is corrected or amended pursuant to a request by that individual, the Privacy Act Officer shall see to the notification of all persons and agencies to which the corrected or amended portion of the record had been disclosed prior to its correction or amendment, if an accounting of such disclosure was made as required by the Act. The notification shall require a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record and to appraise any agency or person to which it had disclosed the record of the substance of the correction or amendment.

(c) The following criteria will be considered by the Privacy Act Officer in reviewing a request for correction or amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information;

(3) The relevance and necessity of the information in terms of the purpose for which it was collected;

(4) The timeliness and currency of the information in terms of the purpose for which it was collected:

(5) The completeness of the information in terms of the purpose for which it was collected:

(6) The possibility that denial of the request could unfairly result in determinations adverse to the individual:

(7) The character of the record sought to be corrected or amended; and

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual.

(d) The Department will not undertake to gather evidence for the individual, but does reserve the right to verify the evidence which the individual submits.

(e) Correction or amendment of a record requested by an individual will be denied only upon a determination by the Privacy Act Officer that:

(1) There has been a failure to establish, by the evidence presented, the propriety of the correction or amendment in light of the criteria set forth in paragraph (c) of this section;

(2) The record sought to be corrected or amended was compiled in a terminated judicial, quasi-judicial, legislative or quasi-legislative proceeding to which the individual was a party or participant;

(3) The information in the record sought to be corrected or amended, or the record sought to be corrected or amended, is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual is a party or participant;

(4) The correction or amendment would violate a duly enacted statute or promulgated regulation; or,

(5) The individual unreasonably has failed to comply with the procedural requirements of this part.

(f) If a request is partially granted and partially denied, the Privacy Act Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 16.10 Appeal of initial adverse agency determination on correction or amendment.

(a) Appeal shall be available only from a written denial of a request for correction or amendment of a record issued under § 16.9, and only if a written appeal is filed within thirty calendar days after the issuance of the written denial.

(b) Each appeal shall be addressed to the Privacy Appeals Officer identified in the written denial. The envelope containing the appeal and the letter itself should both clearly indicate that the subject is PRIVACY ACT APPEAL.

(c) When an appeal is misdirected by the requester, or not addressed as specified in paragraph (b) of this section, the Department official receiving same shall promptly refer it to the appropriate Privacy Appeals Officer and the time of receipt for processing purposes will be the time when it is received by the appropriate official.

(d) When an appeal fails to provide the necessary information as set forth in paragraph (e) of this section, the requester shall be advised that the time for receipt for processing purposes will be the time when the additional necessary information is received by the appropriate official.

(e) The individual's appeal papers shall include the following: A copy of the original request for correction or amendment; a copy of the initial denial; and a statement of the reasons why the initial denial is believed to be in error. The appeal shall be signed by the individual. The record which the individual requests be corrected or amended will be supplied by the Privacy Act Officer who issued the initial denial. While the foregoing normally will comprise the entire record on appeal, the Privacy Appeals Officer may seek additional information necessary to assure that the final determination is fair and equitable and, in such instances, the additional information will be disclosed to the individual to the greatest extent possible and an opportunity provided for comment thereon.

(f) No hearing on appeal will be allowed.

(g) The Privacy Appeals Officer shall act upon the appeal and issue a final Department determination in writing not later than thirty days (excluding Saturdays, Sundays and holidays) from the date on which the appeal is received; provided, that the Privacy Appeals Officer may extend the thirty days upon deciding that a fair and equitable review cannot be made within that period, but only if the individual is advised in writing of the reason for the extension and the estimated date by which a final determination will issue (which estimated date should not be later than the sixtieth day (excluding Saturdays, Sundays and holidays) after receipt of the appeal unless unusual circumstances, as described in § 16.5(a), are met).

(h) If the appeal is determined in favor of the individual, the final determination shall include the specific corrections or amendments to be made and a copy thereof shall be transmitted promptly both to the individual and to the Privacy Act Officer who issued the initial denial. Upon receipt of such final determination, the Privacy Act Officer promptly shall take the actions set forth in § 16.9(a)(2)(i) and § 16.9(b).

(i) If the appeal is denied, the final determination shall be transmitted promptly to the individual and shall state the reasons for the denial. The notice of final determination also shall inform the individual of the following information:

(1) The right of the individual to file a concise statement of reasons for disagreeing with the final determination. The statement ordinarily should not exceed one page and the Department reserves the right to reject a statement of excessive length. Such a statement shall be filed with the Privacy Appeals Officer. It should identify the date of the final determination and be signed by the individual. The Privacy Appeals Officer shall acknowledge receipt of such statement and inform the individual of the date on which it was received;

(2) The fact that any such disagreement statement filed by the individual will be noted in the disputed record and that a copy of the statement will be provided to persons and agencies to which the record is disclosed subsequent to the date of receipt of such statement;

(3) The fact that prior recipients of the disputed record will be provided a copy of any statement of the dispute to the extent that an accounting of disclosures, as required by the Act, was made;

(4) The fact that the Department will append to any such disagreement statement filed by the individual, a copy of the final determination or summary thereof which also will be provided to persons and agencies to which the disagreement statement is disclosed; and,

(5) The right of the individual to judicial review of the final determination under 5 U.S.C. 552a(g)(1)(A), as limited by 5 U.S.C. 552a(g)(5).

(j) In making the final determination, the Privacy Appeals Officer shall employ the criteria set forth in paragraph 16.9(c) and shall deny an appeal only on the grounds set forth in § 16.9(e).

(k) If an appeal is partially granted and partially denied, the Privacy Appeals Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

(l) Although a copy of the final determination or a summary thereof will be treated as part of the individual's record for purposes of disclosure in instances where the individual has filed a disagreement statement, it will not be subject to correction or amendment by the individual.

(m) The provisions of § 16.3(b) (2) and (3) apply to the information obtained under paragraphs (e) and (i)(1) of this section.

§ 16.11 Disclosure of record to person other than the individual to whom it pertains.

(a) The Department may disclose a record pertaining to an individual to a person other than the individual only in the following instances:

(1) Upon written request by the individual, including authorization under § 16.5(e);

(2) With the prior written consent of the individual;

(3) To a parent or legal guardian under 5 U.S.C. 552a(h); and,

(4) When required by the Act and not covered explicitly by the provisions of 5 U.S.C. 552a(b) ; and,

(5) When permitted under 5 U.S.C. 552a(b) (1) through (11), which read as follows:

> (1) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;
>
> (2) Required under section 552 of this title;
>
> (3) For a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section;
>
> (4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;
>
> (5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;
>
> (6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;
>
> (7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;
>
> (8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;
>
> (9) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;
>
> (10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or
>
> (11) Pursuant to the order of a court of competent jurisdiction.

(b) The situations referred to in paragraph (a)(4) of this section include the following:

(1) 5 U.S.C. 552a(c)(4) requires dissemination of a corrected or amended record or notation of a disagreement statement by the Department in certain circumstances;

(2) 5 U.S.C. 552(a)(g) authorizes civil action by an individual and requires disclosure by the Department or the court;

(3) Sec. 5(e)(2) of the Act authorizes release of any records or information by the Department to the Privacy Protection Study Commission upon request of the Chairman; and

(4) Sec. 6 of the Act authorizes the Office of Management and Budget to provide the Department with continuing oversight and assistance in implementation of the Act.

(c) The Department shall make an accounting of each disclosure of any record contained in a system of records in accordance with 5 U.S.C. 552a(c) (1) and (2). Except for a disclosure made under 5 U.S.C. 552a(b)(7), the Privacy Act Officer shall make such accounting available to any individual, insofar as it pertains to that individual, on request submitted in accordance with § 16.4. The Privacy Act Officer shall make reasonable efforts to notify any individual when any record in a system of records is disclosed to any person under compulsory legal process, promptly upon being informed that such process has become a matter of public record.

§ 16.12 Fees.

(a) The only fees to be charged to or collected from an individual under the provisions of this part are for copying records at the request of the individual.

(1) No fees shall be charged or collected for the following: Search for and retrieval of the records; review of the records; copying at the initiative of the Department without a request from the individual; transportation of records and personnel; and first class postage.

(2) It is the policy of the Department to provide an individual with one copy of each record corrected or amended pursuant to his or her request without charge as evidence of the correction or amendment.

(3) As requested by the United States Civil Service Commission in its published regulations implementing the Act, the Department will charge no fee to an individual who requests copies of a personnel record covered by that Commission's Government-wide published notice of systems of records. However, when such records are voluminous and the cost of copying would be in excess of five dollars ($5) the Department may, in its discretion, charge a fee.

(b) The copying fees prescribed by paragraph (a) of this section are:

$0.10 Each copy of each page, up to 8 ½" x 14" made by photocopy or similar process.

$0.20 Each page of computer printout without regard to the number of carbon copies concurrently printed.

(c) Payment of fees under this section shall be made in cash, or preferably by check or money order payable to the "Treasurer of the United States." Payment shall be delivered or sent to the office stated in the billing notice or, if none is stated, to the Privacy Act Officer processing the request. Payment may be required in the form of a certified check in appropriate circumstances. Postage stamps will not be accepted.

(d) A copying fee totaling $1 or less shall be waived, but the copying fees for contemporaneous requests by the same individual shall be aggregated to determine the total fee. A copying fee shall not be charged or collected, or alternatively, it may be reduced when such action is determined by the Privacy Act Officer to be in the public interest.

(e) Special and additional services provided at the request of the individual, such as certification or authentication, postal insurance and special mailing arrangement costs, will be charged to the individual in accordance with other published regulations of the Department pursuant to statute (for example, 31 U.S.C. 433a).

(f) This section applies only to individuals making requests under this part. All other persons shall remain subject to fees and charges prescribed by other and appropriate authorities.

[40 FR 39729, Aug. 28, 1975, as amended at 42 FR 29479, June 9, 1977]

§ 16.13 Penalties.

(a) The Act provides, in pertinent part:

> Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretences shall be guilty of a misdemeanor and fined not more than $5,000. (5 U.S.C. 552a(i)(3))

(b) A person who falsely or fraudulently attempts to obtain records under the Act may also be subject to prosecution under such other criminal statutes as 18 U.S.C. 494, 495 and 1001.

§ 16.14 General exemptions.

(a) Individuals may not have access to records maintained by the Department but which were provided by another agency which has determined by regulation that such information is subject to general exemption under 5 U.S.C. 552a(j). If such exempt records are within a request for access, the Department will advise the individual of their existence and of the name and address of the source agency. For any further information concerning the record and the exemption, the individual must contact that source agency.

(b) The Secretary of Housing and Urban Development has determined that the Office of the Assistant Inspector General for Investigation performs, as its principal function, activities pertaining to the enforcement of criminal laws. The records maintained by that office in a system identified as "HUD/DEPT–24, Investigation Files," primarily consist of information compiled for the purpose of criminal investigations and are associated with identifiable individuals. Therefore, the Secretary has determined that this system of records shall be exempt, consistent with 5 U.S.C. 552a(j)(2), from all requirements of the Privacy Act except 5 U.S.C. 552a(b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i) unless elsewhere exempted.

[40 FR 39729, Aug. 28, 1975, as amended at 49 FR 20486, May 15, 1984]

§ 16.15 Specific exemptions.

Whenever the Secretary of Housing and Urban Development determines it to be necessary and proper, with respect to any system of records maintained by the Department, to exercise the right to promulgate rules to exempt such systems in accordance with the provisions of 5 U.S.C. 552a(k), each specific exemption, including the parts of each system to be exempted, the provisions of the Act from which they are exempted, and the justification for each exemption shall be published in the Federal Register as part of the Department's Notice of Systems of Records.

(a) Exempt under 5 U.S.C. 552a(k)(2) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and (f). This exemption allows the Department to withhold records compiled for law enforcement purposes. The reasons for adopting this exemption are to prevent individuals, who are the subjects of investigation, from frustrating the investigatory process, to ensure the integrity of the investigatory process, to ensure the integrity of law enforcement activities, to prevent disclosure of investigative techniques, and to protect the confidentiality of sources of information. The names of systems correspond to those published in the **Federal Register** as part of the Department's Notice of Systems of Records.

(1) HUD/DEPT–15. Equal Opportunity Housing Complaints.

(2) HUD/DEPT–24. Investigation Files in the Office of the Inspector General.

(3) HUD/DEPT–25. Legal Action Files.

(b) Exempt under 5 U.S.C. 552(k)(5) from the requirements of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f). This exemption allows the Department to withhold records compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal contracts, or access to classified material. The reasons for adopting this exemption are to insure the proper functioning of the investigatory process, to insure effective determination of suitability, eligibility and qualification for employment and to protect the confidentiality of sources of information. The names of systems correspond to those published in the **Federal Register** as part of the Department's Notice of Systems of Records.

(1) HUD/DEPT–24. Investigation Files in the Office of the Inspector General.

(2) HUD/DEPT–25. Legal Action Files.

[42 FR 49810, Sept. 28, 1977]

Appendix A—Officials to Receive Inquiries, Requests for Access and Requests for Correction or Amendment

Headquarters

Privacy Act Officer, 451 Seventh Street, SW, Washington, DC 20410.

Region I

Regional Administrator—Regional Housing Commissioner, Room 800, John F. Kennedy Federal Building, Boston, Massachusetts 02203–0801.
Manager, One Hartford Square West, Suite 204, Hartford, Connecticut 06104–2943.
Manager, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, New Hampshire 03103–2487.
Chief, U.S. Federal and Post Office Building, 202 Harlow Street, Bangor, Maine 04401–1357.
Manager, Room 330, John O. Pastore Federal Building and U.S. Post Office, Kennedy Plaza, Providence, Rhode Island 02903–1745.
Chief, 110 Main Street, Fairchild Square, Burlington, Vermont 05402–0989.

Region II

Regional Administrator-Regional Housing Commissioner, 26 Federal Plaza, New York, New York 10278–0068.
Manager, The Parkade Building, 519 Federal Street, Camden, New Jersey 08103–9998.
Manager, Military Park Building, 60 Park Place, Newark, New Jersey 07102–5504.
Manager, Statler Building, Mezzanine, 107 Delaware Avenue, Buffalo, New York 14202–2986.
Manager, Federico Degetau Federal Building, U.S. Courthouse, Room 428, Carlos E. Chardon Avenue, Hato Rey, Puerto Rico 00918–2276.
Manager, Leo W. O'Brien Federal Building, North Pearl Street and Clinton Avenue, Albany, New York 12207–2395.

Region III

Regional Administrator-Regional Housing Commissioner, Liberty Square Building, 105 South 7th Street, Philadelphia, Pennsylvania 19106–3392.
Manager, HUD Building, 451 Seventh Street, SW, Room 3186, Washington, District of Columbia 20410–5500.
Manager, The Equitable Building, 3rd Floor, 10 North Calvert Street, Baltimore, Maryland 21202–1865.
Manager, 412 Old Post Office Courthouse Building, 7th and Grant Streets, Pittsburgh, Pennsylvania 15219–1906.
Manager, 701 East Franklin Street, Richmond, Virginia 23219–2591.
Director, 800 Delaware Avenue, Room 101, Wilmington, Delaware 19801–1387.
Manager, Kanawha Valley Building, Capitol and Lee Streets, Charleston, West Virginia 25301–1794.

Region IV

Regional Administrator-Regional Housing Commissioner, Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, Georgia 30303–3109.
Manager, Daniel Building, 15 South 20th Street, Birmingham, Alabama 35233–2096.
Manager, 325 West Adams Street, Jacksonville, Florida 32202–4303.
Manager, P.O. Box 1044, 539 Fourth Avenue, Louisville, Kentucky 40201–1044.
Manager, U.S. Federal Building, 100 Capitol Street, Suite 923, Jackson, Mississippi 39269–1096.
Manager, 415 North Edgeworth Street, Greensboro, North Carolina 27401–2107.
Manager, Strom Thurmond Federal Building, 1835–45 Assembly Street, Columbia, South Carolina 29201–2480.
Manager, One Northshore Building, 1111 Northshore Drive, Knoxville, Tennessee 37919–4090.
Manager, Gables One Tower, 1320 South Dixie Highway, Coral Gables, Florida 33146–2911.
Manager, 700 Twiggs Street, P.O. Box 2097, Tampa, Florida 33601–4017.
Manager, 100 North Main Street, 28th Floor, Memphis, Tennessee 38103–5080.
Manager, One Commerce Place, Suite 1600, Nashville, Tennessee 37239–1600.
Manager, Federal Office Building, 80 North Hughey Avenue, Orlando, Florida 32801–2226.

Region V

Regional Administrator–Regional Housing Commissioner, 300 South Wacker Drive, Chicago, Illinois 60606–6765.
Manager, 151 North Delaware Street, P.O. Box 7047, Indianapolis, Indiana 46204–2526.
Manager, McNamara Federal Building, 477 Michigan Avenue, Detroit, Michigan 48226–2592.
Manager, 220 Second Street, South, Bridge Place Building, Minneapolis, Minnesota 55401–2195.
Manager, 200 North High Street, Columbus, Ohio 43215–2499.
Manager, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Suite 1380, Milwaukee, Wisconsin 53203–2290.
Chief, Lincoln Towers Plaza, 524 South Second Street, Room 600, Springfield, Illinois 62701–1774.
Manager, 2922 Fuller Avenue, NE, Grand Rapids, Michigan 49505–3409.
Manager, Federal Office Building, 550 Main Street, Cincinnati, Ohio 45202–3253.
Manager, One Playhouse Square, 1375 Euclid Avenue, Room 420, Cleveland, Ohio 44115–1832.

Region VI

Regional Administrator-Regional Housing Commissioner, 221 West Lancaster, Post Office Box 2905, Fort Worth, Texas 76113–2095.
Manager, 320 West Capitol, Suite 700, Little Rock, Arkansas 72201–3523.
Manager, 1661 Canal Street, New Orleans, Louisiana 70172–0288.
Manager, Murrah Federal Building, 200 NW 5th Street, Oklahoma City, Oklahoma 73103–3202.
Manager, Griffin Square Office Building, 555 Griffin Square, Dallas, Texas 75202–5007.
Manager, Washington Square Building, 800 Dolorosa, P.O. Box 9163, San Antonio, Texas 78285–3301.
Manager, 6811 Federal Building, 500 Fannin Street, Shreveport, Louisiana 71101–3077.
Manager, 625 Truman Street, NE, Albuquerque, New Mexico 87100–6443.
Manager, Robert S. Kerr Building, 440 South Houston Avenue, Tulsa, Oklahoma 74127–8923.
Manager, National Bank of Texas Building, 2211 Norfolk, Suite 300, Houston, Texas 77098–4096.
Manager, Federal Building, 1205 Texas Avenue, Lubbock, Texas 79401–4001.

Region VII

Regional Administrator-Regional Housing Commissioner, Professional Building, 1103 Grand Avenue, Kansas City, Missouri 64106–2496.
Manager, 210 North Tucker Boulevard, St. Louis, Missouri 63101–1997.
Manager, Braiker/Brandeis Building, 210 South 16th Street, Omaha, Nebraska 68102–1622.
Manager, Federal Building, 210 Walnut Street, Room 259, Des Moines, Iowa 50309–2155.
Chief, 444 SE Quincy Street, Room 297, Topeka, Kansas 66683–3588.

Region VIII

Regional Administrator-Regional Housing Commissioner, Executive Tower Building, 1405 Curtis Street, Denver, Colorado 80202–2349.
Manager, Federal Office Building, Drawer 10095, 301 S. Park, Room 340, Helena, Montana 59626–0095.
Chief, Federal Building, P.O. Box 2483, 653 2nd Avenue North, Fargo, North Dakota 58108–2483.
Chief, 119 Federal Building, U.S. Courthouse, 400 S. Phillips Avenue, Sioux Falls, South Dakota 57102–0311.
Manager, 125 South State Street, Salt Lake City, Utah 84138–1102.
Chief, 4225 Federal Office Building, 100 East B Street, Post Office Box 580, Casper, Wyoming 82602–1918.

Region IX

Regional Administrator-Regional Housing Commissioner, Federal Building, 450 Golden Gate Avenue, Post Office Box 36003, San Francisco, California 94102–3448.
Manager, 1615 W. Olympic Boulevard, Los Angeles, California 90015–3801.
Manager, One North First Street, 3rd Floor, Post Office Box 13468, Phoenix, Arizona 85004–3468.
Manager, 777 12th Street, Suite 200, P.O. Box 1978, Sacramento, California 95809–1978.
Manager, 880 Front Street, Room 5S3, P.O. Box 2648, San Diego, California 92188–0100.
Manager, 34 Civic Center Plaza, P.O. Box 12850, Santa Ana, California 92712–2850.
Manager, 300 Ala Moana Boulevard, Room 3316, Honolulu, Hawaii, 96850–4700.
Manager, 1050 Bible Way, Post Office Box 4700, Reno, Nevada 89505–4700.

Region X

Regional Administration-Regional Housing Commissioner, Arcade Plaza Building, 1321 Second Avenue, Seattle, Washington 98101–2054.
Manager, 520 Southwest Sixth Avenue, Portland, Oregon 97204–1596.
Manager, 701 C Street, Module G, Box 64, Anchorage, Alaska 99513–0001.
Manager, FB/USCH, Box 042, 550 West Fort Street, Boise, Idaho 83724–0420.
Manager, 746 U.S. Courthouse, West 920 Riverside Avenue, Spokane, Washington 99201–1075.

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